

## DISTRICT OF COLUMBIA TAXICAB COMMISSION

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## TAXI &amp; LIMOUSINE INDUSTRY STUDY TASK FORCE

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MEETING OF THE COMMITTEE ON TAXI & LIMOUSINE  
INDUSTRY STRUCTURE AND SERVICES

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TUESDAY, FEBRUARY 19, 2008

The Task Force convened at 5:30  
p.m. at the Washington Convention & Tourism  
Corporation, Suite 400, 901 7<sup>th</sup> Street, N.W.,  
Washington, D.C., Leon J. Swain Jr.,  
Commission Chairperson, presiding.

## PRESENT:

LEON J. SWAIN JR., Chairperson  
THOMAS E. HEINEMANN, Commissioner  
HERBERT BEST  
E.J. CHUBBS  
BOBBY COWARD  
DAWIT DAGNU  
EVE HILL  
ABDUL KARIM  
WENDY KLANCHER  
BERHANE LEGHESE  
BILL ORLEANS  
NATHAN PRICE  
PAUL REISNER  
BILL RICE  
CAROLYN ROBINSON  
ABDUL SHIKAR  
ROY SPOONER  
ESAYES A. TESEMA  
REGGIE TYMUS  
DAVID VACCA

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7

2

1

2

## TABLE OF CONTENTS

3

4

AGENDA ITEM

PAGE

5

6

Introduction/Re-introduction of

7

Committee members.....4

8

9

Review of Scope of Committee..... 5

10

11

Handicap Accessible Services..... 32

8

9

10

11

12

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P-R-O-C-E-E-D-I-N-G-S

2

5:45 P.M.

3

COMMISSION CHAIRPERSON SWAIN: If

4

we could just go around -- because we do have

5

a lot of new people here today, if everyone

6

could just go around and introduce themselves,

7

we can get started. Feel free to start

8

wherever you like, or do you want me to say

9

starting here.

10

MS. HILL: I'm Eve Hill. I'm the

11

Director of the DC Office of Disability

12

Rights, and we're interested in accessible

13

taxicabs.

14

MR. DAGNU: Dawit Dagnu, Silver

15

Cab.

16

MR. TESEMA: Esayes Tesema from

17

Diamond.

18

MR. TYMUS: Reggie Tymus, Capital

19

City Limousine.

20

MR. HEINEMANN: Tom Heinemann,

21

DCTC, member of the public.

22

MR. BEST: Herbert Rice, Diamond

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1 Taxicab.

2 MR. RICE: Bill Rice, Office of  
3 Disability Rights.

4 MR. CHUBBS: E.J. Chubbs,  
5 Independent Cab Number 69.

6 MR. KARIM: Abdul Karim, Diamond  
7 Cab.

8 MR. SHIRAR: Adbul Shirar, USA Cab.

9 MR. PRICE: Nathan Price, Chairman  
10 Coalition DC Taxicab Drivers Association.

11 MR. SPOONER: Roy Spooner, Yellow  
12 Cab Company.

13 MS. ROBINSON: Carolyn Robinson,  
14 independent Yellow Cab driver 800.

15 MS. KLANCHER: Wendy Klancher with  
16 the Metropolitan Washington Council Government  
17 and we have a program that offers taxicabs, a  
18 grant program for purchasing accessible  
19 taxicabs. That's why I'm here.

20 COMMISSION CHAIRPERSON SWAIN: Leon  
21 Swain, Chairman of the DC Taxicab Commission.

22 MR. REISNER: Paul Reisner, Office

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1 of the Chief Technology Officer.

2 COMMISSION CHAIRPERSON SWAIN:

3 Okay, what we basically did the last time, we  
4 went over our agenda. Does everybody still  
5 have a copy of it? Do they need one? Or at  
6 least the scope of work that we were given.  
7 Does everybody have a copy of that? Do we  
8 need a couple of them?

9 MS. ROBINSON: You don't have your  
10 right arm with you today?

11 COMMISSION CHAIRPERSON SWAIN:  
12 Doreen has the flu. Doreen has the flu. I'm  
13 fighting it. If I catch it, I'm going to give  
14 you a call. Okay, well, I do have -- I have a  
15 couple of copies of the agenda which shows the  
16 different things that we're supposed to be  
17 discussing this week. Like I said, I didn't  
18 bring enough for everybody.

19 The one thing I remember that we  
20 have to do is the agenda for the Taxicab  
21 Limousine Industry Study Group, Committee on  
22 Taxicab and Limousine Structure and Services,

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1 you guys need to pick a chairperson. Does  
2 everybody remember who they were, the members  
3 of that group?

4 MS. ROBINSON: Yes.

5 COMMISSION CHAIRPERSON SWAIN:  
6 Okay, you all need to pick a chairperson to go  
7 ahead and start your conversation. Who are  
8 the members of that group?

9 Yes, they're not here yet, are  
10 they?

11 MS. ROBINSON: Right.

12 COMMISSION CHAIRPERSON SWAIN: Hank  
13 is not here either.

14 MR. TYMUS: Chubbs, Spooner.

15 COMMISSION CHAIRPERSON SWAIN:  
16 Okay, I'm going to go ahead and pick a  
17 chairperson for your group. Do you all need  
18 some time to talk about it? Have you had an  
19 opportunity to meet or talk over the telephone  
20 or anything to see who you want to go with  
21 your chairperson? Anybody want to volunteer?

22 MR. SPOONER: I'll take it.

1 COMMISSION CHAIRPERSON SWAIN: All  
2 right, thank you, Mr. Spooner.

3 MR. TYMUS: There are ways to sock  
4 it to you.

5 MS. ROBINSON: No, my thing at the  
6 beginning was, it was not going to be a  
7 chairperson. We were all going to be  
8 discussing this together, but it's no big --  
9 no problem.

10 COMMISSION CHAIRPERSON SWAIN: All  
11 right, somebody come in. Here's David now.  
12 Give me one second.

13 (Pause)

14 Okay, everybody knows David Vaca,  
15 right?

16 MR. SPOONER: Where's the  
17 hospitality people?

18 COMMISSION CHAIRPERSON SWAIN: I  
19 don't know.

20 MR. SPOONER: The hospitality  
21 people didn't want to attend the meeting  
22 today?

1                   COMMISSION CHAIRPERSON SWAIN: Mr.  
2                   Spooner, they had not called me. I have not  
3                   heard from them. I will attempt to raise them  
4                   but I thought that you may want the  
5                   opportunity to go ahead and get your group  
6                   together, come up with your discussion things  
7                   and we would get back together in a little  
8                   while. It's up to you, you call it.

9                   MR. SPOONER: I think we need to  
10                  have a discussion here before we break up to  
11                  understand.

12                 COMMISSION CHAIRPERSON SWAIN: All  
13                 right, a discussion on what, sir?

14                 MR. PRICE: Mr. Spooner and I, we  
15                 talked during the week and we came to a  
16                 consensus that before we start to move into  
17                 various groups in discussion how the industry  
18                 was going to move forward, we need to,  
19                 perhaps, resolve the issue of this current  
20                 dilemma that faces us with the issue and the  
21                 changes taking place.

22                 COMMISSION CHAIRPERSON SWAIN: What

1 issue?

2 MR. PRICE: The issue of the time  
3 of the meters and the April 6<sup>th</sup> deadline and  
4 what's happening to the industry.

5 MR. SPOONER: Well, first, at the  
6 last meeting, we asked for an emergency  
7 meeting, which we got, which didn't go very  
8 well. But at the end of that meeting, it was  
9 requested that the coalition submit  
10 information to the interim Attorney General,  
11 which was done.

12 COMMISSION CHAIRPERSON SWAIN:  
13 Right.

14 MR. SPOONER: To date there's been  
15 no response. There's been work stoppage  
16 action. There's been -- there are planned  
17 stuff and I think that as you talk about  
18 improving the industry, it's also -- at some  
19 point in time we've got to discuss where we're  
20 going with this issue. Is the city going to  
21 sit down with the drivers? Is there going to  
22 be some discussion to try to resolve this

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1 issue, because it's effecting service today  
2 and it's going to effect service in the  
3 future.

4 COMMISSION CHAIRPERSON SWAIN:  
5 Well, Mr. Spooner, I have not talked to Peter  
6 Nickles. I was not at that meeting. I can  
7 try to get you information from Mr. Nickles,  
8 but I will tell you that I think that you need  
9 to meet with Mr. Nickles. I was not privy to  
10 anything from that meeting.

11 MR. SPOONER: Yes, I was relatively  
12 surprised that you weren't at that meeting.

13 COMMISSION CHAIRPERSON SWAIN: I  
14 was there and I was told that I was not  
15 needed.

16 MR. SPOONER: Oh, okay, I'll leave  
17 that alone.

18 COMMISSION CHAIRPERSON SWAIN:  
19 Thank you.

20 MS. ROBINSON: I have just a  
21 question, well, maybe it's a comment. It was  
22 my understanding from the initial meeting that

1 if we had anything that we really wanted to  
2 address, we were supposed to bring it to the  
3 table if it was going to be a consensus of the  
4 group.

5 COMMISSION CHAIRPERSON SWAIN: All  
6 right, so you want to -- in other words,  
7 you're asking me to make a decision to talk  
8 about something that I wasn't privy to,  
9 insofar as Mr. -- well, see, first of all,  
10 you've already got the Attorney General  
11 involved in this. He's the individual which  
12 you were discussing it with and I think that's  
13 the individual where you need to keep it at.

14 Now, if Mr. Nickles wants to come  
15 and address us or he wants to say something in  
16 that regard, that's fine, but I can't tell you  
17 what happened. I don't know what happened. I  
18 was not privy to any information and so for me  
19 to sit here and try to pick up where you left  
20 off at doesn't do us a thing.

21 MS. ROBINSON: No, but the whole  
22 issue -- and I'm sure you're aware of it, the

1 whole issue is concerning the meters and it's  
2 my understanding even with talking to Jim  
3 Graham's office, the legislator, he mentioned  
4 if it was an item that everyone felt needed to  
5 be discussed, then it can be put on the  
6 agenda.

7 That's all I'm saying. And you  
8 wouldn't have to have any background  
9 knowledge, you know what the dilemma is. The  
10 meters are supposed to be into effect April  
11 the 6<sup>th</sup> or whatever you're trying to get the  
12 legislation passed. This is an issue that we  
13 want to --

14 COMMISSION CHAIRPERSON SWAIN:  
15 Well, there is no legislation to be passed.  
16 It was decided that our meters were going to  
17 be initiated April the 6<sup>th</sup> and that's not  
18 something before the City Council. That was a  
19 decision that the Mayor has put out there and  
20 that's a decision that stands. There's no  
21 review by the City Council on that.

22 That's why I was saying if you had

1 dialogue going on with Mr. Nickles that's  
2 where you need to keep it at. But insofar as  
3 thinking that this task force here is going to  
4 be able to sit there and say that we're not  
5 going to go to meters, oh, no, that's not  
6 going to happen. I'm telling you that the  
7 decision on the meters were made by the Mayor.  
8 The Mayor received the authorization from  
9 Congress that authority was delegated to me.  
10 The decision has been made.

11 Now, if you have a dialogue going  
12 on with Mr. Nickles, I would suggest that  
13 that's going to be the best place to take it.  
14 But insofar as this task force here being able  
15 to say that we've changed out mind and we're  
16 not going to time and distance meters, that's  
17 not going to happen.

18 MR. SPOONER: That is not the  
19 discussion and you know that's not what we're  
20 talking about. We're talking about there  
21 being dialogue that's supposed to be  
22 facilitated by people who are in power to do

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1 it. Now, we can sit here and play all sorts  
2 of games that we want. There is a driver  
3 coalition that has got actions that they've  
4 got planned. There are people who are willing  
5 to sit down to the table and somebody has got  
6 -- it was facilitated the last time, the  
7 direction taken did not result in anything  
8 fruitful and for us to sit here --

9 COMMISSION CHAIRPERSON SWAIN: And  
10 you went to contact Mr. Nickles.

11 MR. SPOONER: Mr. Nickles asked for  
12 information that was forwarded to him over a  
13 week ago and he has not responded to it. To  
14 sit down in good faith with people of the  
15 industry to talk about moving the industry  
16 forward at the time that the industry is in  
17 turmoil, I don't see how that's productive.

18 At some point, the people who work  
19 for the hospitality industry did not attend  
20 this meeting today. You can see full force  
21 representation from everyone else.

22 COMMISSION CHAIRPERSON SWAIN: I

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1 invited half of them with everybody else.

2 MR. SPOONER: I understand who you  
3 invited but the reality is no -- they did not  
4 attend this meeting. I spoke to Mr. Vacca and  
5 told him straight up to Mr. Graham that at  
6 this meeting we would be putting that subject  
7 on the table because we need the people from  
8 the hospitality industry to assist in  
9 resolving this issue so the city does not  
10 continue the way it's been going for the last  
11 few weeks.

12 And today we come to this meeting  
13 and we're all willing to participate in the  
14 agenda but as I stated the last time, there's  
15 a gorilla in the room that's become Godzilla.  
16 And if we think we're just going to -- I mean,  
17 if I'm speaking singularly, please let me  
18 know.

19 MR. PRICE: No, I support what you  
20 say wholeheartedly.

21 MR. SPOONER: If we can continue --  
22 I hear the concerns that everyone has and the

1 industry does need this type of discussion but  
2 we cannot ignore what is going on here and if  
3 they're not putting the power in your hands,  
4 it's got to go to somebody. Someone has to  
5 facilitate this before the city has more  
6 issues.

7 I guess, I'm just asking for help  
8 on this because --

9 MR. VACCA: If I could respond to  
10 Carolyn, are you referring to what's in the  
11 packets of information, Fact Number 11, which  
12 describes the rule, the committee can add a  
13 new issue to the matters for them to be  
14 considered as along as they fit everything  
15 that's currently on their agenda now, which is  
16 what they're legally required to do. But as  
17 for tackling this issue today, I understand at  
18 least some of the representatives from the  
19 hospitality industry had unavoidable personal  
20 problems. They wouldn't be able to make it  
21 today.

22 So I don't know if today is the day

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1 we'd want to really tackle that issue because  
2 they're not here to give their perspective and  
3 that's really a very important part of  
4 addressing that issue. In fact, that's the  
5 key to addressing that issue.

6 And I don't think that -- I think  
7 it means that today probably isn't the day  
8 we'd want to look at this particular gorilla.  
9 We have lots of other things that are also, if  
10 not gorillas, at the very least large  
11 chimpanzees that we want to tackle.

12 MR. CHUBBS: Yes, time is a big  
13 factor. If we don't attack it now, I mean, we  
14 keep putting it off and like you said, a  
15 decision has been made for April the 6<sup>th</sup>. We  
16 don't have much time to operate so if we keep  
17 putting it off. We asked to put this on the  
18 agenda, add it to the agenda. The agenda is  
19 very important, but this is really an  
20 important issue.

21 COMMISSION CHAIRPERSON SWAIN: Let  
22 me see if I can't get hold of Mr. Nickles.

1 MS. ROBINSON: Because we have  
2 until February 25<sup>th</sup> to make any comments on  
3 their proposed legislation, so today is the  
4 19<sup>th</sup>.

5 COMMISSIONER HEINEMANN: You mean  
6 the rules?

7 MS. ROBINSON: Yes, and there are a  
8 couple of so-called technical errors that have  
9 to be addressed, things that I brought up that  
10 I understand now are just technical errors.

11 COMMISSION CHAIRPERSON SWAIN: I'm  
12 going to step out. Let me see if I can't get  
13 in touch with Mr. Nickles and find out whether  
14 or not he has any intentions of having an  
15 additional meeting to sort of give us some  
16 information. David, if you would go ahead and  
17 carry this on.

18 MR. VACCA: I apologize for being a  
19 little late myself. This place is a little  
20 hard to find on a street grid. For those of  
21 you who might not have met me, I think I know  
22 most people here, my name is David Vacca. I

am Council Member Graham's legislative analyst who is responsible for overseeing on his behalf the Taxi Commission.

Council Member Graham is the Chairman of the Committee on Public Works and the Environment which includes the Taxi Commission within it and the Council Member is one of the Chairpersons of the task force. He sends his regrets but this meeting is scheduled against the Columbia Heights Parking and Traffic Summit relating to the DC USA development and he can't be in two places at once.

But so if I can get just quickly caught up to speed here, the first issue we're trying to tackle is whether to add metered fares to our agenda and if so, at what point we want to tackle it.

MR. SPOONER: Well, I think we discussed at the last meeting because time is of essence, it was pulled out of that into the site discussion, that meeting that was

1 supposed to be set up which was set up. That  
2 meeting ended up, in essence, in an impasse.  
3 No one knows where it went. Information was  
4 requested, it was given. The issue is still  
5 there. We're trying to find out what is  
6 moving on. Is the Attorney General going to  
7 meet with the coalition to discuss it or is  
8 the City going to be faced with more work  
9 stoppages and retaliation from both sides?

10 COMMISSION CHAIRPERSON SWAIN:

11 Okay, I've just tried to contact him. He told  
12 me that he is on another like and he will be  
13 returning my phone call. What is it that  
14 you'd like, Mr. Spooner? You said that you'd  
15 like to add this to the agenda.

16 MR. SPOONER: The agenda, we talked  
17 the last one, that this was -- timing was of  
18 essence and putting it on the agenda because  
19 this report has to be done after -- I think  
20 after the date -- the recommendations from  
21 this committee were supposed to be done after  
22 the date of implementation. So I think we

1 recognized it last time.

2 MR. VACCA: Well, the task force  
3 recommendations wouldn't be valid until  
4 they're voted on by the entire task force  
5 which is not scheduled until well into the  
6 summer. So any recommendations we make would  
7 not really be as a task force of even as the  
8 committee anyway, but as individuals with a  
9 great deal of professional experience on the  
10 subject.

11 Okay, and don't let me just stop  
12 any individual here from making a  
13 recommendation. You're all on the task force  
14 because you do have a great deal of valuable  
15 knowledge. We wouldn't want to force you not  
16 to give it for the sake of trying to wait for  
17 the entire body to move.

18 COMMISSION CHAIRPERSON SWAIN: Mr.  
19 Spooner, Price -- Mr. Price, I'm so used to  
20 calling you by your last name. I'm going to  
21 wait and see what Mr. Nickles has to say.

22 Like I said, I have not talked to

1 Mr. Nickles since your meeting and I will find  
2 out exactly what his intentions are, what he  
3 plans on doing, what he doesn't plan on doing  
4 and the second I hear from him, if he calls me  
5 later on tonight, if he calls me in the next  
6 10 minutes, I will let you know exactly what  
7 he says, but insofar as -- as far as I'm  
8 concerned, since you've already met with him,  
9 you've already laid down your ideas, your  
10 proposals, or whatever it is you'd like to  
11 have done, and like I said, I don't know  
12 exactly what was said because I was not there,  
13 I'm going to suggest that we at least give Mr.  
14 Nickles an opportunity to give us a call back  
15 before we move further on that particular one,  
16 because we do have several issues that we do  
17 need to address.

18 I'm not saying that the thing  
19 called meters is not an important issue. I  
20 understand exactly what you're saying. But  
21 I'm also going to suggest that we move on with  
22 our agenda until we at least get a return

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1 phone call from Mr. Nickles. And if we don't  
2 get one in a timely fashion, I will try him  
3 again and continue to try him until we can set  
4 up something and meet. If that's amenable to  
5 you, we can move on.

6 MR. PRICE: I'm just a little bit,  
7 you know, remiss -- he asked for something. I  
8 put it together and I gave it to him. And  
9 tomorrow I'll even have it e-mailed over to  
10 your office and show you exactly --

11 COMMISSION CHAIRPERSON SWAIN:  
12 Well, I appreciate that. I mean, anything  
13 you've given me, I've passed on up the line.  
14 I will only say this --

15 MR. PRICE: Well, up the line got  
16 it.

17 COMMISSION CHAIRPERSON SWAIN:  
18 Well, you know, Nathan, I can't address what--

19 MR. PRICE: I know you can't. I  
20 know you can't.

21 COMMISSION CHAIRPERSON SWAIN: You  
22 know, we have a very limited amount of time.

1 Like I said, I'm not trying to downplay the  
2 importance but I do want to go ahead and move  
3 onto some of the other issues that we do have  
4 on the agenda instead of sitting here waiting  
5 for Mr. Nickles to give us a call.

6 MR. VACCA: And bear in mind that  
7 we are legally obligated to handle these  
8 issues. So I would agree with Nathan -- with  
9 Leon. I think this is something we want to  
10 get started on now and we can come back to the  
11 meter issue when we have a better picture of  
12 where we're going.

13 MR. PRICE: I will go along with  
14 that, as long as we say we won't drop it,  
15 because if we drop it, there's no sense in --  
16 I'd be wasting my time being here because  
17 basically this is the most important thing.  
18 The drivers' well-being is the most important  
19 thing to me.

20 So therefore, if we say how the  
21 industry is going to go and right now I'm  
22 looking at it like doom and gloom and so

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1 therefore, this is a very important element to  
2 the drivers, to the companies, everything  
3 that's connected to them, including their  
4 families, here and abroad. So therefore, that  
5 is important to me.

6 Myself, personally, other than  
7 fighting for them, I would just stand and go  
8 along with it, but that's important, so as  
9 long as it will be on the table and it won't  
10 leave the table because it has to stay on the  
11 table.

12 COMMISSION CHAIRPERSON SWAIN:  
13 Nathan, I don't think I said take it off of  
14 the table, but what I did do is let you know  
15 that legally you say take it and have it voted  
16 on and give it to the City Council for  
17 legislation.

18 MR. PRICE: No, no, no, I never  
19 said --

20 COMMISSION CHAIRPERSON SWAIN:  
21 Well, the word legislation was brought up and  
22 I was just saying that the way that the law

1 was written, the City Council doesn't have any  
2 oversight on this.

3 MR. PRICE: No, no, we're not --  
4 I'm not even worried about that. My only  
5 thing is that I'm waiting for a response from  
6 the Mayor's office, being it his personal  
7 attorney as well as his - all that -- that is  
8 like -- to me it was kind of an insult. He  
9 came to the meeting and said, "You've got 30  
10 minutes because I've got a conference call",  
11 and then boom, he hooped out but he did say,  
12 you know, "Give me something". I gave it to  
13 him and there's no reply.

14 If that's the way, you know, this  
15 industry is looked at, you know, then that is  
16 an insult because this still is a democracy,  
17 and you know, you have to respect because it's  
18 about the people and if we're not people, then  
19 I don't know what we are. Maybe he considers  
20 us still to be children.

21 MR. VACCA: Well, I think we're  
22 agreed though, that this is something we do

1 want to look at but we can't really get onto  
2 right now, so we should move onto the rest of  
3 the agenda.

4 MR. CHUBBS: Like I said, we're not  
5 going to take it off the table, but we're  
6 going to move on until we hear from, like the  
7 Chairman says.

8 COMMISSION CHAIRPERSON SWAIN: I  
9 have a phone right here that's on. He  
10 answered the phone, he said, "I'm on another  
11 call, I'll call back".

12 MR. VACCA: And Abdul, Carolyn?

13 MS. ROBINSON: Our hands are tied,  
14 I am in handcuffs.

15 COMMISSIONER HEINEMANN: Hey,  
16 David, are we able to shift what we're  
17 supposed to consider around a little bit  
18 because I see you've got fare and structure  
19 discussion on April 14<sup>th</sup>. I mean, isn't that  
20 the discussion of the fare what you've  
21 discussed in your little subcommittees?

22 MR. VACCA: Yes, I think these are

1 draft agendas. They're not --

2 COMMISSION CHAIRPERSON SWAIN: They  
3 were draft agendas just to try to give us a  
4 place to start so that we had something to  
5 talk about.

6 MR. VACCA: Very little of what  
7 you've been given is -- well, we included the  
8 law. Beyond that, anything that was given is  
9 really intended more as a guideline.

10 COMMISSIONER HEINEMANN: Okay.

11 MR. VACCA: If it doesn't work for  
12 you, feel free to change it.

13 COMMISSIONER HEINEMANN: Okay, but  
14 the items you've got in here is stuff that  
15 we're supposed to -- like I think there are  
16 like three items to go over, four items, and  
17 those are things you want us to look at and  
18 then there's other things that we can also  
19 discuss as well.

20 MR. VACCA: Absolutely.

21 COMMISSIONER HEINEMANN: So, I  
22 mean, does it make sense to have that group

1 look at the fare and structure stuff and then  
2 come back with some sort of recommendations?  
3 I mean, unless they're just saying abolish the  
4 whole time and distance meter thing, but if  
5 they have other comments, I mean, does it work  
6 for them to move it up --

7 MR. VACCA: Well, I think that's--

8 COMMISSIONER HEINEMANN: -- and  
9 give this group some substantive comments with  
10 which to work the next time we meet or  
11 circulate via e-mail?

12 COMMISSION CHAIRPERSON SWAIN:  
13 That's fine.

14 COMMISSIONER HEINEMANN: I mean,  
15 I'll just put it out there.

16 MR. VACCA: No, I think that we all  
17 agree that if it's something the task force  
18 can and should go -- I think we agree this is  
19 definitely a topic that's worth our  
20 consideration and I don't think anyone is  
21 objecting to -- unless it turns out that the  
22 relation with the Attorney General Office is

1 trumping this, I don't think anyone objects to  
2 covering the issue. And if we want to tackle  
3 it as soon as possible, I think that's  
4 probably reasonable, too.

5 Now, I think the only problem we're  
6 having is deciding how this fits in with the  
7 fact that the Attorney General's Office has  
8 been involved as well, and we don't want to  
9 step on their toes.

10 COMMISSIONER HEINEMANN: I mean,  
11 are they able to send a representative? I  
12 mean, because, I mean, you think about it, I  
13 mean, you have this issue. I know the Budget  
14 Support Act and all that you did, this  
15 Commission sort of preceded that decision, but  
16 now this decision kind of reshapes things and  
17 it would be good just to --

18 MR. VACCA: Well, the decision  
19 reshapes things but if you look at the  
20 original enacting legislation, the reason we  
21 were silent on meters is that we were fully  
22 aware that the deadline under the Levin Law

1 was going to predate any meeting that we were  
2 going to have and so we were -- if, for  
3 example, the Mayor had chosen to go directly  
4 to the zone meter system, I don't think we'd  
5 be having this discussion today and it would  
6 be silly to put that on the list of legally  
7 mandated duties.

8 So I mean, this happened beforehand  
9 but it very intentionally does not address  
10 meter fares because there was a good chance  
11 that they would be totally irrelevant by the  
12 time this came around instead of turning out  
13 to be a rather high profile issue.

14 COMMISSION CHAIRPERSON SWAIN: Anything  
15 else on it?

16 MS. ROBINSON: I have issues with  
17 you calling it the Levin Law when it's really  
18 not a law.

19 COMMISSION CHAIRPERSON SWAIN: I'll  
20 tell you what, let's see if we can --

21 MR. VACCA: I think if we call it  
22 by its full and technical name would be a

1 little bit of a mouthful.

2 COMMISSION CHAIRPERSON SWAIN: I'll  
3 tell you what I would like to do because we do  
4 have a number of individuals here, to talk  
5 about the handicapped accessible taxicab  
6 service and I notice some companies have  
7 already voiced an opinion but what it is, is  
8 that we have the Director and we're going to  
9 be here for awhile, but I think I would like  
10 to give the Director of the Office of  
11 Disabilities and also Wendy is down there.  
12 Wendy from COG, I'd like for them to tell you  
13 what's available, tell you what we hope to do  
14 insofar as the handicapped accessible  
15 taxicabs.

16 If we can talk about that for  
17 awhile, maybe we won't bore you all or keep  
18 you all hostage here to talk about it.

19 So if you want to go ahead and  
20 bring that part, we'll go ahead and discuss  
21 that, throw it out there, let you know where  
22 we stand and the funds that may be available,

1 how we think we can go about tackling that  
2 because it is a very important issue.

3 MR. VACCA: And do you want to  
4 break for committees or do you want to do  
5 this?

6 MR. SPOONER: I think we should do  
7 this in full.

8 COMMISSION CHAIRPERSON SWAIN: Yes,  
9 I do too, because there are people here who --  
10 of others committees who have an interest in  
11 it.

12 MR. VACCA: Okay.

13 COMMISSION CHAIRPERSON SWAIN:  
14 Wendy, do you want to kick it off?

15 MS. KLANCHER: Sure. Maybe it  
16 would be much easier if we talked about the  
17 meters, but that might not be true.

18 Just real quickly, I'll let you  
19 know what the program the Transportation  
20 Planning Board or COG has. It's a federal  
21 program we administer called the New Freedom  
22 Program and private for profit companies, such

1 as some of the companies you represent are,  
2 can apply for this federal funding to purchase  
3 accessible vehicles, wheelchair accessible  
4 vehicles and to operate them.

5 And so what we've learned in  
6 general from accessible cabs, and you all are  
7 the experts and I know this is a very  
8 difficult issue for your industry is that  
9 because there are concerns from the industry  
10 about the ADA type of transportation for  
11 people in wheelchairs that the best practices  
12 listed in other cities is that when there are  
13 some incentives, that for the industry to  
14 provide those types of taxies and make sure  
15 that they have a steady stream of income. So  
16 the TPB is currently soliciting for projects  
17 for this New Freedom Program.

18 We have about \$1.6 million  
19 available. That funding does have to have a  
20 match. If you're purchasing a new vehicle,  
21 it's an 80-20 match, so you have to come up  
22 with the 20 percent. You would retain

1 ownership of the vehicle after -- but we would  
2 have a lien. I might not be describing that  
3 exactly right, but over a number of years, the  
4 vehicle would be owned by the company or the  
5 independent operator.

6 If you are applying for funds to  
7 help with the operating assistance, let's say  
8 for example, you wanted to subsidize your  
9 drivers, although I know most of you are  
10 independent contractors, if you wanted to  
11 subsidize independent contractors for doing  
12 wheelchair accessible trips by \$1.00 to \$5.00  
13 you could do that with this program. That  
14 would be an operating type of program and the  
15 match would be a 50-50 match.

16 One of the things that Council  
17 Member Graham and the City Council was  
18 successful in doing last year is putting aside  
19 \$200,000.00 in DC funds that can be used as a  
20 match to get the federal funding. And I don't  
21 know the specifics of that project but I know  
22 that there is work going on to get that

1 program up and running.

2 So that's just a little bit about  
3 what we're doing. I'll be happy to take any  
4 questions.

5 COMMISSION CHAIRPERSON SWAIN: Yes,  
6 go ahead, Reggie.

7 MR. TYMUS: I'm Reggi Tymus with  
8 Capital City Limousine. So you know what my  
9 question is; can we do it with limousines  
10 also? Will you give us 80 percent?

11 MS. KLANCHER: It would be the  
12 Federal Transit Administration Rule, so I can  
13 only explain their difficult rules on that. I  
14 think technically you could apply for the  
15 funding. The other thing I forgot to mention  
16 is the funding is competitively -- the  
17 projects are competitively selected, so let's  
18 say we get several applications and you have  
19 more taxicab companies than limo companies.

20 I think the taxicab company would  
21 be viewed more favorably by our selection  
22 committee because people with disabilities

1 tend to be -- they're twice as likely to be  
2 low income and I'm not sure able to afford  
3 limousines.

4 MR. TYMUS: Okay, we won't go into  
5 that but do you have any information, a hand-  
6 out type situation that you can share?

7 MS. KLANCHER: I do. I have a  
8 brochure.

9 MR. TYMUS: That's perfect.

10 MS. KLANCHER: I'll just pass that  
11 around.

12 MR. SPOONER: One of the things  
13 that the companies are concerned about is  
14 where would the income stream come from  
15 because today MetroAccess runs that program  
16 and they stipend off some of their overlapping  
17 business but where would the steady income  
18 come from, income stream for the investment?

19 MS. KLANCHER: The income for the  
20 taxicab driver that would have a wheelchair  
21 accessible vehicle would come from a number of  
22 different sources. The cab could take both

1     ambulant passengers as well as wheelchair  
2     passengers. There is a possibility for that  
3     independent contractor to try to work with  
4     MetroAccess to try to get some of the overflow  
5     trips, you know, that is a possibility.

6             We can't -- that's not in my  
7     territory but you know, that is a possibility  
8     because there is -- MetroAccess does not have  
9     enough capacity in DC in wheelchair accessible  
10    taxies.

11            MR. SPOONER: But all motorized  
12    wheelchair access -- most of the companies  
13    have been set up -- the business comes through  
14    MetroAccess and they have to pass it off,  
15    their overlap to the cab companies. Again,  
16    I'm just asking, who is responsible for making  
17    sure -- if two or three cab companies set up  
18    this and wants to do this, we're quite  
19    interested in doing it but again, it goes back  
20    to the requirements, the training, and also  
21    the source of business. If the business is  
22    controlled by MetroAccess through contracting

1 and we're going to depend on them giving us  
2 what they have -- they can't satisfy --

3 MS. KLANCHER: The assumption is,  
4 just like with the responsibility of making a  
5 profit lies with the independent contractor  
6 with ambulant passengers, it would be the same  
7 with wheelchair passengers. There is more  
8 business than just MetroAccess for wheelchair  
9 accessible cabs.

10 MR. VACCA: Which leads to the  
11 question I had, with other jurisdictions that  
12 have a larger wheelchair accessible cab, how  
13 well -- how much business is street hail  
14 versus how much is radio dispatch?

15 MS. KLANCHER: I think most of it's  
16 radio dispatch. I don't know for sure.

17 COMMISSION CHAIRPERSON SWAIN:  
18 Correct, right.

19 MR. VACCA: Would that something  
20 that we would want to put as a qualification  
21 for participating in the program?

22 MS. KLANCHER: I think you should

1 keep it open. I mean, I think you should keep  
2 it open to whatever cab company would want to  
3 do it. They want to try to do street hails,  
4 because they can still do -- having a  
5 wheelchair accessible cab doesn't stop you  
6 from also having regular passengers that don't  
7 need wheelchairs.

8 MR. VACCA: And that's a big thing.  
9 I understand there's been some design  
10 developments in the standard cab.

11 COMMISSION CHAIRPERSON SWAIN: Yes,  
12 and that's what I was going to say. If you  
13 get a chance go to [standardtaxi.com](http://standardtaxi.com). They  
14 have a vehicle and what they did is that they  
15 removed the front passenger seat. So when you  
16 bring you -- and it has a ramp and everything  
17 is already built right into the vehicle. When  
18 you bring your wheelchair into it, you make  
19 the immediate right turn and you lock into the  
20 front passenger seat and then there's still  
21 three seats in the back of the vehicle for  
22 additional passengers. Mr. Price.

1 MR. PRICE: Yes, Wendy, for the  
2 past 12 or 13 years this issue has flowed to  
3 the Taxicab Commission about drivers dealing  
4 with the handicapped and providing a service  
5 for them. And the main issue that always  
6 comes up is insurance and liability.

7 That's something that we can't get  
8 around. One of the things that's really  
9 missing out of this piece here is insurance.  
10 It is a huge issue in taxicabs in Washington.  
11 That's why we're viewed negatively, those who  
12 work the airports and other things.

13 So therefore, that -- if passengers  
14 -- because see, when you're hauling somebody  
15 who is disabled, sometimes you have to lift  
16 them. If you drop them, there's a liability  
17 problem or if they happen to get injured. So  
18 therefore, you know, I've always believed that  
19 I get kind of disturbed when I see PG County,  
20 Montgomery County, in here doing that work.

21 But the problem is that maybe they  
22 have the insurance to pretty much cover the

1 driver because the driver is afraid, you know,  
2 if he handles a person like that and he  
3 accidentally hurts that person, his insurance  
4 liability will not cover him and all of a  
5 sudden he may be losing his house and he may  
6 have a lien on him for the rest of his life.

7 MR. SPOONER: That was the issue  
8 when MetroAccess approached us. When we sat  
9 down with them, the big issue on the table was  
10 not getting the vehicles, it was the insurance  
11 requirements.

12 MR. VACCA: Would insurance be  
13 considered an operating expense for New  
14 Freedom purchases?

15 MS. KLANCHER: Yes, it could. So  
16 you could apply for the federal assistance for  
17 the insurance and there are programs -- I  
18 don't know how you all buy your insurance,  
19 each independent contractor has to buy their  
20 insurance or do you cover -- do you have an  
21 umbrella that --

22 MR. SPOONER: No, they each have to

1 buy their own.

2 MS. KLANCHER: They have to buy  
3 their own. There are programs where if you  
4 get a bunch of people buying together like  
5 through the Community Transportation  
6 Association, you can buy in at a lower rate so  
7 you can buy a broader coverage that isn't as  
8 expensive.

9 MR. SPOONER: Well, in this case  
10 what was explained to us from MetroAccess, and  
11 what we were struggling to deal with, is that  
12 not only was the insurance but also they kind  
13 of required the person to be, in essence,  
14 become an employee of the company because of  
15 the background checks and the number of  
16 different things that have to occur with that  
17 person that coming under the umbrella of the  
18 company and being an employee, so it was the  
19 company who was going to be facing this, this  
20 liability and we couldn't see -- you know,  
21 they were giving you their overlap business  
22 whenever they had it.

1           So you were making this large  
2 layout, outlay in investment and there wasn't  
3 a kind of at least partially guaranteed source  
4 of income because this contract was so locked  
5 in through that process. So I think that's  
6 where, you know, making the investment is one  
7 thing. It's the other things. What is  
8 covering us in this grant? Can we roll the  
9 insurance expenses and the training and all  
10 the other liabilities that may come along as  
11 part of the investment?

12           MS. KLANCHER: We have an  
13 application and you can write out -- you can  
14 create your own proposed program if you are  
15 interested in doing that and apply for, you  
16 know, funding. It would be over a two-year  
17 period that the funding would be for, so the  
18 other thing you'd have to consider is you'd  
19 get funding for two years. Let's say your  
20 project proposal does get chosen, two years  
21 worth of funding, then after that, you know,  
22 you have to figure out what you're going to do

1 from there.

2 But it could include purchasing the  
3 vehicle, insurance costs, extra operating  
4 costs or you know, the cost for additional  
5 radio dispatchers or, you know, I don't know  
6 what all the costs that might be involved, but  
7 you can put that together.

8 MR. SPOONER: What about the DC  
9 Government providing subsidies on the  
10 insurance side?

11 MS. HILL: That's something we can  
12 look into. We're just getting involved in  
13 this as a new office but that's something we  
14 could look into. We want to make sure that  
15 the money that DC puts into it provides the  
16 most effective program for people with  
17 disabilities to have the most flexibility. Do  
18 you know if we are restricted in that?

19 COMMISSION CHAIRPERSON SWAIN:  
20 Well, the fact is that this whole program -- I  
21 hate to say it this way, it's old and it's  
22 new.

1 MS. HILL: Right.

2 COMMISSION CHAIRPERSON SWAIN: It's  
3 been sitting around for so long that it's  
4 gotten old but nobody has ever done anything  
5 with it. I did get an opportunity to speak to  
6 Mr. Spooner about it briefly and I talked to a  
7 couple of other people. I think that we've  
8 got Jim Graham here who oversees taxicabs.

9 You've got David Vaca sitting right  
10 here and I'll be right up front. I say you  
11 tell him what you want. I say you tell him  
12 what has to be -- I mean, what type of  
13 legislation we need, what type of  
14 modifications that we need to put in there  
15 because I'll be right up front. I know that  
16 Mr. Graham wants this very bad, in fact, the  
17 entire city wants it.

18 When I first got there, a disabled  
19 person had to call my office and for us to  
20 call Red Top and then for us to send a fax to  
21 Red Top so they could come and -- that's the  
22 first thing I got rid of. No, I thought it

1 was the most degrading thing I've ever seen  
2 for a person with disabilities to have to call  
3 there, ask for permission to get a taxicab,  
4 the whole nine yards.

5 I don't think there's anybody  
6 that's going to argue with us and nobody is  
7 going to fight over the money. I think this  
8 is new. I think that we have a part of the  
9 community that is woefully under-served and I  
10 don't see anybody standing up there in the  
11 City Council or anywhere else saying, "I'm not  
12 going to put money in this". I think we roll  
13 the dice. We ask for what we need to make it  
14 a profitable thing and we go for it.

15 MR. PRICE: Well, one of the  
16 things, Leon, that you know, the City moves an  
17 awful lot of handicapped children to school,  
18 and especially -- and it spends a lot of money  
19 buying these special busses. Basically, if  
20 the City could like float the insurance issue,  
21 especially for the drivers, the additional  
22 insurance, a lot of drivers would be glad, you

1 know, because the City -- it would save -- it  
2 would be economically feasible for the City to  
3 subsidize a taxicab doing this work on a  
4 regular basis, you know, or like that, because  
5 in the taxi industry we're about moving people  
6 and if we can move them in masses, you know,  
7 just like the old shared riding, if we can  
8 share ride them, --

9 MR. VACCA: But that actually  
10 brings up a good point though, is that do you  
11 think it would be acceptable to, in the  
12 interest of keeping this going after two  
13 years, include some surcharge that might only  
14 apply in the case of wheelchair accessible  
15 cabs? Is that something the government  
16 wouldn't accept you don't think?

17 (Simultaneous speakers.)

18 MS. KLANCHER: The government could  
19 pay it, the passenger couldn't pay it, yes.

20 COMMISSION CHAIRPERSON SWAIN: The  
21 other part about it is simply this, if we can  
22 get \$200 million for a baseball stadium, I

1 don't care what City Council is present. I  
2 have no problem saying this in front of the  
3 City Council. There no way in the world you  
4 tell me we can get \$200-300 million for a  
5 baseball team and we can't come up every year  
6 with a two to \$10 million subsidy to provide  
7 service for the citizens of the District of  
8 Columbia. And I think that -- I'll be right  
9 up front, just like you want to hold my feet  
10 to the fire for meters, I think you need to  
11 hold the City's feet to the fire on this.

12 I heard a figure and I don't know  
13 if it's true but I'm going to tell you what I  
14 heard. I heard that they spent something in  
15 the neighborhood of \$74 million and I don't  
16 know if it's true, to transport these kids to  
17 school.

18 MS. ROBINSON: That's correct,  
19 that's true. That's correct. If they used  
20 taxicabs, they'd save a lot.

21 COMMISSION CHAIRPERSON SWAIN:  
22 That's right. You get 200 taxicabs, we buy

1 200 taxicabs and we -- how many kids we got to  
2 be transported? Let's say --

3 MS. ROBINSON: It's a lot.

4 COMMISSION CHAIRPERSON SWAIN:  
5 Okay, let's say we've got 1,000 kids a day  
6 that we have to transport to school. Some of  
7 these kids spend five and six hours on the bus  
8 to get to school.

9 MS. ROBINSON: They're taken as far  
10 as Rockville.

11 COMMISSION CHAIRPERSON SWAIN:  
12 That's it. And what we need to do is -- what  
13 we need to do is if we take and buy 200  
14 taxicabs, 200 of these vehicles, right now the  
15 price on those vehicles is somewhere between  
16 25 and \$30,000. They just came up with a new  
17 design. Well, if we do that, I don't see why  
18 you can't get 200 drivers, train them. If  
19 those 200 drivers picked up two kids apiece,  
20 dropped them off where they have to go to  
21 school and then pick them back up and take  
22 them home, if that's all they did was two kids

1 a day, five days a week, we're saving  
2 somewhere in the neighborhood of at least \$35  
3 million.

4 MR. PRICE: Well, you know, you'd  
5 actually save more than that because  
6 logistically if you could move kids, if  
7 they're all going like to the same school --

8 COMMISSION CHAIRPERSON SWAIN:  
9 That's it.

10 MR. PRICE: -- from the same area,  
11 you could logistically maybe take two or three  
12 and take kids with lesser handicaps who don't  
13 need the wheelchairs, you actually could move  
14 more bodies and it would be cheaper than  
15 MetroAccess. You know, I mean, to me they've  
16 had a great hustle for a long time. You know,  
17 I'm sorry I didn't get in on it earlier, you  
18 know but --

19 COMMISSION CHAIRPERSON SWAIN: But  
20 the thing about it is, I think we're really --  
21 you know, if we don't do anything else out of  
22 this task force, I think that if we come up

1 there and address this issue right here, and  
2 really, really push it, I think we've done a  
3 good thing. Bobby.

4 MR. COWARD: I apologize, no  
5 disrespect, I want to add my perspective to  
6 the table. Again, you know, I do understand  
7 that on the providers, I mean, taxicab side,  
8 you're looking for, you know, subsidies to  
9 cover insurance, you know, your added costs  
10 that, you know, you may associate with an  
11 accessible cab. You know, and I think, you  
12 know, that's rightly so. I mean, I can  
13 understand that, but you know, I know what the  
14 best practice is from other states was through  
15 amending legislation requiring each cab  
16 company to have at least two accessible  
17 vehicles.

18 Okay, now, right now, you know, and  
19 I look throughout the fleet, you know, and I  
20 see some minivans. You know, to modify a van  
21 doesn't cost that much money but again, you're  
22 buying what is standard, it's 25K a unit, I

1 believe, so that's still, you know, we would  
2 say that's 22K, right.

3 But if you're talking about  
4 insurance, these kids still go under the same  
5 insurance. You'll be operating as if -- you  
6 know, the operation will be as normal but the  
7 vehicle will just be accessible. I don't --  
8 you know, I don't --

9 MR. PRICE: Bobby, the difference  
10 in other states is that basically other  
11 states, Washington is very unique. Most of  
12 those drivers own their own vehicles. In  
13 other states, companies own them, so  
14 therefore, asking a company like Red Top to do  
15 this, it would be very easily because they  
16 own, let's say almost 80 percent of --

17 MR. COWARD: But you're still under  
18 one common --

19 MS. ROBINSON: They get a subsidy  
20 to get those access vehicles.

21 MR. COWARD: But you're still --  
22 I'm trying to be the -- and I know it's kind

1 of, you know, the structure, you know,  
2 fragmented. You say you're under a cab  
3 company but each vehicle is independently  
4 owned. But still the company, if you ever had  
5 -- a license has a certain size fleet, you can  
6 still have -- you know, that license can be  
7 amended by saying within that two vehicles,  
8 you know, must be accessible, if that's a  
9 problem with that.

10 MR. SPOONER: Well, earlier we  
11 talked about it. There are only three major  
12 dispatch cab companies in the city today. And  
13 99 percent of these things are -- these jobs  
14 are radio dispatched.

15 MR. COWARD: I've got a thought on  
16 that. I'll tell you about that.

17 MR. SPOONER: Okay, what I'm  
18 looking at is again, we were approached, we  
19 were close to doing it, but it came down to  
20 the insurance. When he laid the requirements  
21 for the insurance on the table, there was no  
22 way that we could have gotten any drivers,

1 even as a company, we couldn't see taking on  
2 that liability. If the insurance is  
3 subsidized, and you have the grants for the  
4 vehicles, because the cost of the vehicle is  
5 25, \$30,000.00, you know, if you have the  
6 stream of business, you'll be able to do it.  
7 But you've got to -- it's not an investment  
8 that you can go make right off the top and  
9 since there are only three companies and if  
10 needed, you know, unless you're going to  
11 mandate more dispatching, those three  
12 companies who may want to jump into this, may  
13 have to acquire much more vehicles to meet  
14 this thing, so that's a great investment.

15 But just to make sure, subsidies  
16 for the insurance is one of the big deals and  
17 I believe that should be carried by the -- the  
18 District should be able to do that.

19 MR. COWARD: What's driving your  
20 cost for the insurance?

21 MS. ROBINSON: Someone gets hurt.

22 MR. COWARD: But wouldn't that be

1 in the operator -

2 MS. ROBINSON: It's at least  
3 \$200,000.00.

4 MR. SPOONER: No, it's one million  
5 dollars. It's one million dollars per  
6 vehicle.

7 (Multiple simultaneous conversations.)

8 MS. ROBINSON: The insurance  
9 company charges extra for accessible vehicles.

10 MR. SPOONER: The insurance  
11 requirements for the vehicle, a current cab is  
12 25,000.

13 MR. VACCA: \$25,000.00 just for  
14 coverage?

15 MR. SPOONER: That's coverage. On  
16 a wheelchair accessible is one million.

17 MS. HILL: And that's imposed by  
18 the insurance company.

19 MR. SPOONER: That is imposed --  
20 that is imposed by the contractor, meaning --  
21 that's the requirement of MetroAccess'.  
22 Whoever set the program up that MetroAccess is

1 working with, that's the requirement.

2 COMMISSION CHAIRPERSON SWAIN: I  
3 think we need to take a look at that. I'm not  
4 so sure that that wasn't Metro's way of also  
5 keeping you out of the business.

6 MS. ROBINSON: Right.

7 MR. SPOONER: That's their approach  
8 to us. We didn't ask them for anything. We  
9 never approached that. They came to us. They  
10 came to us clearly with they were buying and  
11 they needed it. As Wendy said earlier, we  
12 know that Metro can never meet the  
13 requirements, okay? And they have their  
14 issues, but that became the sticking point.  
15 To us, we're saying, they're telling us and  
16 we've seen the document at issue. They faxed  
17 it over to me. They're -- because they're  
18 subcontracting to me. I have to meet their  
19 requirements.

20 And their requirements is one  
21 million dollars per vehicle. That's correct,  
22 that's their requirement by whoever set up the

1 contract with them. The training of the  
2 people, the background checks, and that's  
3 where it ended up mostly that the drivers may  
4 have to end up being -- come under the  
5 umbrella as an employee versus an independent  
6 operator.

7 MR. VACCA: Well is it -- how does  
8 the training and background check  
9 incompatible, you know, with the independent  
10 operator?

11 MR. SPOONER: I guess it's the  
12 monitoring of it and the administering of it.  
13 When you have -- if you have five drivers  
14 coming on the company and you have the one  
15 single umbrella to deal with the single point  
16 of contact versus five separate sources.

17 MR. VACCA: Is that something we  
18 could hand out to the Taxi Commission simply  
19 as an endorsement on a face card, checked and  
20 licensed to operate --

21 MR. SPOONER: Well, you have to be  
22 licensed, yes. You have to be licensed and

1 your face has to have that designation.

2 MR. COWARD: Excuse me, but that  
3 brings up the thought, if Metro or DC you  
4 know, if the money was divided, if you ask  
5 them about whatever funding they were  
6 providing for insurance?

7 MR. SPOONER: The insurance is not,  
8 no, they were not providing any funding. They  
9 were providing the source of income. You make  
10 the investment, it provides you the business.

11 COMMISSION CHAIRPERSON SWAIN: One  
12 thing I know about being in private practice,  
13 especially when people get you to piggy-back  
14 on something they're doing, one thing that I  
15 found out, you have federal requirements to  
16 say that you need to get AA and stuff like  
17 that involved in it, and what they  
18 deliberately do is that people who have set up  
19 the program, they don't really want you there.  
20 So they come in there with a little bit higher  
21 thing than what you normally have to do. I  
22 think we need to have the Council take a look

1 at it.

2 The task force needs to look at it.  
3 We need to find out what the regulatory groups  
4 are saying insofar as what mandatory, what  
5 minimum amount of insurance is.

6 MS. HILL: Yes.

7 COMMISSION CHAIRPERSON SWAIN: You  
8 know, I'm sorry, I'm sure Metro probably said  
9 it and it's probably gospel, but do you know  
10 what, I think that because the need is such  
11 that the City needs to take a look at it and  
12 possibly restructure that whole thing.

13 MR. SPOONER: Let me say this;  
14 we're private business people and the way we  
15 look at things is pretty simple. There's a  
16 lot of recommendations, stuff we can write up  
17 here and create all sorts of programs. You  
18 provide the subsidies, you provide the things,  
19 we'll make it happen. That's all. I mean, we  
20 can talk around this if we want to, but we can  
21 --

22 COMMISSION CHAIRPERSON SWAIN: Mr.

1 Spooner, I'm not talking around it, but the  
2 thing about is everywhere I go I hear  
3 everybody in private business say the same  
4 thing, "You provide me with the money, we'll  
5 make it go". Somewhere along the line, we  
6 also have to look at an investment coming from  
7 the company to make it go, too. It can't  
8 always be, you know, "Provide us with the  
9 money, we'll make it go".

10 MR. SPOONER: Wait a minute, you  
11 just said you've got an 80/20 program. You  
12 want to make something happen, you got an  
13 80/20 program. If you've got an 80/20 program  
14 and you can provide subsidies for the  
15 insurance --

16 MR. VACCA: Well, that would only  
17 be a 50/50, right?

18 MS. ROBINSON: 50/50 subsidy for  
19 the operator, 80/20 for ownership, but it's  
20 only \$1.6 million available. So you ain't  
21 talking about a whole lot of money.

22 MS. KLANCHER: But the issue of

1 accessible cabs has been on the table for a  
2 long time and there is a program out there.  
3 You could take advantage of it. You could get  
4 a very reduced vehicle. You could pay 20  
5 percent of that very expensive vehicle, which  
6 is a benefit to the industry right there. I  
7 mean, there are going to be companies that  
8 take advantage of this. It's just a matter  
9 of, you know, who is going to step up to the  
10 plate to do the business.

11 MR. SPOONER: The biggest stumbling  
12 block and you're going to keep going around  
13 it, is the insurance, the subsidies for the  
14 insurance to protect the independent operator.

15 MR. VACCA: The first thing you'd  
16 want to do before subsidies is to sit down  
17 with MetroAccess and see if they'll come down  
18 on that number.

19 MS. ROBINSON: Right, where are  
20 they coming up with that?

21 MR. VACCA: How is MetroAccess  
22 providing insurance on this? There's a

1 disconnect here because what I'm hearing is  
2 they've got a program to facilitate cab  
3 companies getting the --

4 MS. ROBINSON: Handicapped  
5 vehicles.

6 MR. VACCA: -- handicapped  
7 accessible taxicabs, right?

8 MS. ROBINSON: No, MetroAccess does  
9 that. MetroAccess requires you to provide the  
10 insurance in order to participate in their  
11 program.

12 MR. VACCA: MetroAccess provides  
13 the business. "If you sign on with us, we  
14 will give you this many rides".

15 COMMISSIONER HEINEMANN: Right, as  
16 a condition of partnering with MetroAccess,  
17 they want a certain medical insurance  
18 coverage?

19 MS. ROBINSON: Right.

20 MR. VACCA: But do you have to go  
21 through MetroAccess?

22 MR. SPOONER: No, the contract is

1 signed with MetroAccess. They get the source  
2 of the business. They can --

3 MR. VACCA: You don't have to go  
4 through MetroAccess to do the business,  
5 though. It's simply the best referral.

6 MS. HILL: But it's a more regular  
7 income stream.

8 MR. SPOONER: That's correct.  
9 Again, when you go make that type of  
10 investment, you'd better make sure you're tied  
11 with somebody who's going to provide you the  
12 overlap, because to get the -- I mean, we get  
13 calls everyday wanting wheelchair access  
14 vehicles, but that would not subsidize enough  
15 independent operators to go into that business  
16 and all the requirements they've got to go  
17 through, the training and everything they've  
18 got to do. By the end of the day, they're not  
19 going to make any money. Nobody is going to  
20 make any money. So you've got to tie yourself  
21 to the people who have the government  
22 contract.

1 MR. COWARD: First of all, I think  
2 Metro -- you're too focused on their structure  
3 because if you're independent, who said you  
4 have to go to training?

5 MS. ROBINSON: No, but one thing I  
6 can say, they did have a company that  
7 attempted this.

8 MR. SPOONER: Right, right.

9 MS. ROBINSON: Only had six  
10 vehicles, what the requirement for taxicabs.  
11 It was a special thing. But they didn't make  
12 it because they didn't have enough business or  
13 the business --

14 MR. SPOONER: Which goes back to  
15 what I talked about, being you have to create  
16 a company structure to hire these people as  
17 employees, guarantee them their salaries  
18 because the business was an up and down  
19 business.

20 MR. COWARD: You know, I'm going to  
21 contradict that one because we purposely set  
22 out to make calls. I had 40 people call in

1 one day. Their phones went out, their phone  
2 system wasn't working. I went over there when  
3 Causton Toney was an interim chairperson and I  
4 talked to one of the inspectors because you  
5 know, the phones wasn't working. He wasn't  
6 trying to get the accessible population.

7 COMMISSION CHAIRPERSON SWAIN: Hold  
8 on, Price, I'm sorry, but Abdul has had his  
9 hand up and down.

10 MR. KARIM: Mr. Chairman, you know,  
11 this issue, you know, assess handicapped, it's  
12 really -- it's easy to do research because if  
13 you look at the jurisdiction in Washington  
14 area, they have Fairfax and we have 125  
15 company in this city as far as Mr. Spooner, he  
16 can only speak of Yellow Cab experience  
17 because -- I think, I mean, as a taxicab  
18 commission, you should give this information  
19 out, this other 125 company, maybe somebody  
20 come forward and take this business but I  
21 think Mr. Spooner, he can only speak about  
22 Yellow Cab is my point.

1 COMMISSION CHAIRPERSON SWAIN:

2 Okay, yes, sir, Mr. Price.

3 MR. PRICE: One of the things I  
4 want to say also came up with -- this issue  
5 came up with Lee Williams with his cab company  
6 when he was the Chairperson of the Taxicab  
7 Commission, and one of the things that they  
8 talked about then, the drivers were only going  
9 to be compensated for the cab ride, the cost  
10 of the cab ride.

11 And what came up during this time  
12 is saying, you know, nobody is so inhumane  
13 they're going to just pass up a guy -- but to  
14 do it on a regular basis, is a time factor  
15 between the entrance into that cab, helping  
16 people into that cab and taking them out of  
17 that cab that's going to add to his expenses  
18 as the day goes on.

19 COMMISSIONER HEINEMANN: Right,  
20 here's what I think. I'm a little confused  
21 here because I think MetroAccess when you're a  
22 handicapped person taking MetroAccess, you

1 don't pay zone fares, right?

2 MR. REISNER: Right.

3 COMMISSIONER HEINEMANN: So if you  
4 get referred business from MetroAccess, is it  
5 a taxicab ride?

6 MR. PRICE: Yes.

7 MS. ROBINSON: Or is it a medical?

8 COMMISSIONER HEINEMANN: Or it is a  
9 MetroAccess ride? I'm confused.

10 MR. PRICE: They were trying to  
11 give taxicab rides as opposed to MetroAccess.  
12 In other words, the difference in capital was  
13 like night and day.

14 COMMISSIONER HEINEMANN: So like if  
15 MetroAccess calls Mr. Spooner, "I need  
16 somebody to pick up so and so to go from Point  
17 A to Point B," does he charge what MetroAccess  
18 charges people which I understand has other  
19 Medicaid and Medicare eligibility and all that  
20 sort of thing for the person. I'm getting  
21 confused. I mean, we have to separate the  
22 two.

1 (Simultaneous speakers.)

2 MS. KLANCHER: What, sorry, Roy  
3 Spooner has been talking about is for an  
4 accessible cab to be interesting or an  
5 incentive for an independent contractor to do  
6 it, they need to know they've got a certain  
7 amount of incidents. Drivers say they've just  
8 an accessible cab and have no regular stream  
9 of business, they don't make as much money as  
10 driving a regular cab. So in other cities  
11 where it's been successful is, you'll get a  
12 couple of accessible cabs that those cabs will  
13 have an arrangement with the ADA transit  
14 system, which is MetroAccess, and also to some  
15 cash calls, radio dispatch calls, or hail  
16 calls and some MetroAccess trips. The  
17 MetroAccess trips --

18 MR. VACCA: And regular trips as  
19 well.

20 MS. ROBINSON: Right, cash calls,  
21 and the cash calls is just where you pick up  
22 so and so, they pay their full fare. You

1 know, pay the full fare, and that's where you  
2 might get the issue of dwell time. They're  
3 paying the meter, the zone price, whatever  
4 they're paying. They're not paying any  
5 additional surcharge, you know, 15 bucks to go  
6 across the city.

7 If it's a MetroAccess call, the  
8 passenger will just pay their small fare,  
9 which is probably \$1.50 or \$2.50. MetroAccess  
10 then will send them a check for a much bigger  
11 amount, between 15 and \$35.00, for that trip.  
12 So there's two different ways.

13 In the ideal situation, you want  
14 the independent contractor or whoever has got  
15 the cab to be doing a mix of both types of  
16 business.

17 MR. VACCA: In the jurisdictions  
18 where there are widely used accessible cabs,  
19 what proportion of the rides they actually  
20 provide are wheelchair accessible because they  
21 can be used for non-wheelchair traffic as  
22 well, right?

1 MS. KLANCHER: They can. I think  
2 the majority of them are used for wheelchair  
3 passengers. I don't know the exact amount.

4 MR. VACCA: Okay.

5 MS. ROBINSON: Some are both  
6 because I know Red Top does for both because  
7 they are subsidized.

8 MS. KLANCHER: I mean, there are  
9 other jurisdictions that do this. DC does  
10 have some because it's an open system, you  
11 know, because there's a lot of issues that  
12 make this a little challenging, but that's why  
13 we're trying to get these programs out there  
14 that can help both on the operating side and  
15 on the capital side.

16 COMMISSIONER HEINEMANN: It seems  
17 to me most of the business would be  
18 MetroAccess.

19 PARTICIPANT: No, no.

20 MR. COWARD: I want to add to what  
21 Wendy was saying. You know, again, para-  
22 transit wants to kick their members off. They

1 can't even do that, but from what I'm hearing  
2 from two taxicab folks raised, they're  
3 outraged because any individual who wanted to  
4 start an accessible taxicab in the District  
5 was going to get a Department of Health  
6 contract, you know, and that would guarantee  
7 seed money there. Okay, that's seed money,  
8 that's guaranteed money.

9 Also for him, hail, that's money  
10 there, too. There's a great demand for it,  
11 great demand. I'm also contracted to do a  
12 travel guide for the Washington Airport  
13 Authority and there is such a demand for  
14 accessible taxicabs, you know, at Dulles and  
15 at Ronald Reagan, you know. Again, you have  
16 to call Red Top for them to come, but there's  
17 demand there as well. So the demand is there,  
18 the money is there, so that's what I'm saying,  
19 each independent -- each cab company would  
20 have its independent drivers, as you said.  
21 What is required, he'd just have two vehicles,  
22 I mean, that's a beginning. Then you can get

1 like a small pilot program and see the  
2 potential revenue that you can -- you know,  
3 that you yield. That's what I'm thinking of.  
4 But in the other states, you know, they had to  
5 go through litigation to make something like  
6 this happen.

7 It is nice that we're at the table  
8 to try to do it without getting to that point  
9 because the disabled community really, you  
10 know, would seek litigation, would demand, you  
11 know. And I agree with you that you have,  
12 probably, you know, subsidies. That's why  
13 you've got to find the people out there, you  
14 know, to help, you know, fund this to get it  
15 off the ground. Say, "Here you go," for that  
16 project money.

17 COMMISSION CHAIRPERSON SWAIN:  
18 Gentlemen, ladies and gentlemen, I would  
19 remind you that we do have another room  
20 available if we have some other issues. We  
21 have a stenographer who's sitting over here,  
22 staring off into the sunset. He's ready to go

1 to sleep. So if the other committee has  
2 something that they need to talk about,  
3 something they'd like to talk about, we'll  
4 tell you that there is another room available.  
5 I'm not trying to -- this is a very  
6 interesting conversation. I'm not trying to  
7 put anybody out. I just want you to know that  
8 there is another room over there and someone  
9 over there waiting to do whatever is necessary  
10 to assist you.

11 COMMISSIONER HEINEMANN: Do you  
12 want to go? All right.

13 MR. SPOONER: So what do we do with  
14 what's on the table? Seriously, what are we  
15 going to do with what we were talking about?

16 MR. VACCA: Well, I think we can  
17 still talk about it.

18 MR. SPOONER: The committees are  
19 different, but this item, the handicapped item  
20 was on our agenda.

21 MR. VACCA: Right.

22 MR. SPOONER: I haven't figured out

1 why we didn't split up in the beginning.

2 COMMISSION CHAIRPERSON SWAIN:

3 Because they wanted to stay over here.

4 MR. SPOONER: For this item, for  
5 this item. Just for this item we were staying  
6 here because the representative --

7 MR. TYMUS: We own our agenda in  
8 the sense that we are mandated to do certain  
9 things, and now I don't know how they're going  
10 to catch up. We're ahead of the game. I'm  
11 glad, we're ahead of the game on our agenda.

12 (Simultaneous speakers.)

13 MR. TYMUS: They're in trouble,  
14 we're okay.

15 (Simultaneous speakers.)

16 MR. TYMUS: I think it really  
17 helped us because we've got professional  
18 guests to help us come up with some ideas.

19 (Simultaneous speakers.)

20 MR. TYMUS: Handicapped accessible  
21 service is our baby, part of our three points  
22 that we've got to hit tonight.

1 MR. SPOONER: Yes, but it just so  
2 happens that we happen to be part of this. If  
3 we weren't part of this committee, we're part  
4 of that committee. How are we going to  
5 address it? I mean, there's Mr. Best from  
6 Diamond Cab here. If we split up, he's here  
7 for a specific subject. That's why we sort of  
8 stayed together because we didn't know where  
9 everybody was. So let's get the discussion  
10 going.

11 COMMISSION CHAIRPERSON SWAIN:  
12 Well, half our members aren't here. I mean,  
13 the people from the hospitality group and the  
14 hotel group, they are not here. I understand  
15 that, but I do know that a couple of the  
16 committees need to go ahead and at least start  
17 talking about their agenda. I understand that  
18 we only got two hours.

19 MS. ROBINSON: The only person that  
20 isn't here is Barry on our committee.

21 COMMISSION CHAIRPERSON SWAIN: Yes,  
22 but Lynn's not here on the other one.

1 MS. ROBINSON: Oh, well, I'm not  
2 concerned with that.

3 COMMISSION CHAIRPERSON SWAIN:  
4 Unfortunately, I'm concerned about all of  
5 them.

6 MS. ROBINSON: Okay, I mean, I  
7 understand that.

8 (Simultaneous speakers.)

9 COMMISSION CHAIRPERSON SWAIN: I  
10 don't mean to throw a monkey wrench in it but  
11 I do need to get everybody doing what they are  
12 assigned to do, at least what we are mandated  
13 to do.

14 MR. TYMUS: All right, I want to  
15 learn how to work with you, so you tell me  
16 what you need and why we are here. You had  
17 last week. You are with me -- okay, I got you  
18 today. I got a question just on the  
19 handicapped services. Just so I have an idea  
20 what kind of money we're talking about, if I  
21 was to pick up a person who was handicapped  
22 and pick them up from Northeast Washington and

1 take them to the Hospital Center, what kind of  
2 money would I be talking about?

3 MS. KLANCHER: It depends if that's  
4 a MetroAccess contracted trip.

5 MR. TYMUS: Without MetroAccess.

6 MS. KLANCHER: A regular --

7 MR. TYMUS: MetroAccess means --

8 MS. KLANCHER: You cannot charge  
9 any different fare to someone who is disabled  
10 or not disabled.

11 MR. TYMUS: I understand.

12 MS. KLANCHER: So, I don't know how  
13 your limo fare works, but what would you  
14 charge an ambulatory person?

15 MR. TYMUS: A hundred dollars.

16 (Laughter. Simultaneous speakers.)

17 MR. TYMUS: Okay, so I'm out on  
18 that one. No, but let me say one more thing.  
19 Then you mentioned that there was a back-end  
20 subsidy of maybe \$35.00 or something like  
21 that, 15, 20, to 30 that came on the back end.

22 MS. KLANCHER: That's MetroAccess.

1 MR. TYMUS: Oh, okay.

2 MS. KLANCHER: If you're  
3 contracting MetroAccess.

4 MR. TYMUS: Okay.

5 MS. ROBINSON: The individual only  
6 pays a couple of dollars and they subsidize  
7 them, you know,

8 MR. TYMUS: They don't do like --  
9 when I drove a cab they used to have a  
10 Medicare slip. Do they still do those things?  
11 Do you know what I'm talking about?

12 MS. ROBINSON: I know what you're  
13 talking about. Human resources pass.

14 MR. TYMUS: Right.

15 MS. ROBINSON: Very few people use  
16 them now.

17 MR. COWARD: Can I just bring to  
18 the table a division?

19 COMMISSION CHAIRPERSON SWAIN:  
20 Please go ahead.

21 MR. COWARD: And then base that on  
22 a need. When I got injured in '91 there was

1 no MetroAccess, okay. All right, so when I  
2 had to go to rehab from my house on East  
3 Capitol Street, to NRH, I had to get a limo,  
4 and I think that's when Battle was just  
5 starting out. And --

6 MS. ROBINSON: Battle got put in  
7 MetroAccess.

8 MR. COWARD: Right, anyway, one  
9 trip, my insurance was taking care of that,  
10 and that's something else, you know, the  
11 insurance take care of. I was paying Battle  
12 \$40.00 one way, \$80.00 for the round trip.

13 Okay, then, again, that was just  
14 coming from insurance. But now, when I want a  
15 recreational pleasure, I wanted to go to a  
16 party at the Convention Center. Now, no cabs  
17 in DC, so I had to call Barwood and said,  
18 "Come pick me up." I had to trick them. I'm  
19 sorry, I got to the Convention Center by  
20 taking the MetroAccess. I mean, by taking  
21 Metro. But I had to kind of finagle Barwood  
22 by letting them know to come pick me up in DC,

1 under the impression that I was going back to  
2 Montgomery County.

3 But when the driver came, I told  
4 him, "No, I changed my -- you know, my  
5 destination". I'm going to 4136 East Capitol.  
6 The driver, you know, we had to negotiate and  
7 I told him I'd pay - I'd give him \$50.00. So  
8 I paid him \$50.00 to go from the Convention  
9 Center all the way to Benning and East Capitol  
10 Street. Right? So basically, what I'm trying  
11 to say is that was unique.

12 So now, MetroAccess came into play  
13 and you know, everybody gets confused with the  
14 non-dedicated drivers, even non-dedicated  
15 ride, meaning, you know, the members pay their  
16 set 2.50 and all the costs goes to the  
17 company. The example, I went to Gaithersburg,  
18 only cost me 2.50, but then I had the meter  
19 going. The meter was \$50.00. So MetroAccess  
20 had to eat that \$48.00.

21 MS. KLANCHER: They paid the meter  
22 rate, is it?

1 MR. COWARD: Right, they had to eat  
2 that \$48.00. That's why they're saying, "Hey,  
3 this program is getting too expensive because  
4 the demand is growing. But again, if you  
5 think about it, as demand grows, a lot of  
6 people -- you know, I mean, the disabled  
7 population can't afford to pay, you know, I  
8 mean, the regular rate.

9 So, and that -- you know, what I'm  
10 saying that there is a demand for same-day  
11 service. You know, there is a demand and  
12 there is revenue that can be gained from that  
13 demand.

14 MS. HILL: And that's right, both  
15 Red Top and Barwood don't want to advertise  
16 that they'll pick up wheelchair users in the  
17 District for District to District rides  
18 because they're afraid the demand is going to  
19 overwhelm them.

20 MR. COWARD: Well, they can't do  
21 it. They can't do a pickup and drop-off in DC  
22 under the -- under the --

1 MALE PARTICIPANT: Reciprocity  
2 agreement.

3 MR. COWARD: But you know what --

4 COMMISSION CHAIRPERSON SWAIN: No,  
5 we let them do it.

6 MR. COWARD: I was just going to  
7 say. That was told to me by -- you have to  
8 get on, you know, a waiver or roster, here's  
9 what was told to me.

10 COMMISSION CHAIRPERSON SWAIN: I  
11 changed that back in September.

12 MR. COWARD: Oh, you changed that,  
13 oh, good.

14 COMMISSION CHAIRPERSON SWAIN: Yes,  
15 you can call Metro -- I mean, you can call Red  
16 Top, Barwood, any of them right from your home  
17 phone. They all have letters signed by me  
18 allowing them to pick up rides in DC and drop  
19 them off in DC.

20 MR. COWARD: I might travel that.

21 COMMISSION CHAIRPERSON SWAIN: Yes,  
22 sir.

1 MS. HILL: Except they don't want  
2 you to know.

3 COMMISSION CHAIRPERSON SWAIN: No,  
4 they don't want you to know.

5 MR. TYMUS: What I'd like to do to  
6 try to hit the mandate is to take advantage of  
7 our guest here and everybody else who's on the  
8 team to -- let's start listening to some  
9 suggestions for handicap accessible services,  
10 things that we're -- this is what I'm thinking  
11 we're supposed to be bringing to the table,  
12 some ideas on how to improve it, just like  
13 Spooner --

14 MR. SPOONER: Roy Spooner.

15 MR. TYMUS: -- Mr. Spooner says,  
16 insurance, an insurance subsidy. That might  
17 want to be -- that might be the first item on  
18 the list, an insurance subsidy. So this opens  
19 the door for us to go down the list and number  
20 some things, lay some things out, looking for,  
21 I guess I'll call it the corporate side to  
22 come in with some things that you think we

1 should also have on there.

2           The door is open. I'll tell you,  
3 there are some limousine services that can  
4 walk right in the door on this. We carry 1.5  
5 million, so the insurance is not an issue for  
6 us, the money is, but the insurance isn't.  
7 So, I mean, so this is something I'll take  
8 right to my organization, not my organization  
9 but our organization of limousine companies.  
10 They'd be interested because it's money out  
11 there and the handicap accessible people have  
12 money. They party just like you say you were  
13 at the Convention Center. Well, when you hang  
14 with me at the convention center, I'm going to  
15 be hitting you for about \$75.00 an hour, but  
16 if you've got it, come on with it.

17           MR. COWARD: See, and that's --

18           MR. TYMUS: That's business. You  
19 party like other people.

20           MR. COWARD: Yes, but you're able  
21 to see, that's great. We want the limousine  
22 service, but also we want that for hail.

1 MR. TYMUS: Oh, you mean, going  
2 down the street.

3 MR. COWARD: Right, yes, and that  
4 same day service where I call and say, "Hey,  
5 can you send a taxicab to you know, Cosmo  
6 Ridge and -- you know, to pick me up", you  
7 know, wait about a 20 or 30-minute wait.  
8 That's also what the demand is crying for.  
9 That's the hail and same day pickup if I say  
10 that and with the regular cab fare rate.

11 MR. SPOONER: Here's some of the  
12 reality. We did business with Whitman Walker  
13 for years. We were notified two days before  
14 that Whitman Walker was now being taken over  
15 by a company called MTM to run their business.

16 MALE PARTICIPANT: We talked about  
17 that, yes.

18 MR. SPOONER: Okay, now, that's  
19 significant income that left our company. Our  
20 drivers do not get that income any more. We  
21 have no control over what decisions are made  
22 on the contracts. So when you talk about

1 stepping up, we don't have a problem with  
2 stepping up, but step up and do what? We  
3 can't have vehicles and drivers sitting on  
4 the side because the DC Government made some  
5 decision like MV Transport became what's the  
6 Metro -- no MetroAccess become MV Transport or  
7 vice versa.

8 Right, and then MTM took over the  
9 Whitman Walker side of the house and we had  
10 made an investment in it. They still owe us  
11 \$19,000.00. We're still trying to collect.  
12 But that's the -- there was an issue of  
13 collection from this whole MetroAccess, MV  
14 Transport, there was a whole issue of  
15 collection.

16 That's why Silver out of PG and --

17 MS. ROBINSON: They weren't paid.

18 MR. SPOONER: Weren't paying.  
19 Barwood and all of them started. So when you  
20 talk about investing in this, I think the  
21 District, yes, is unique, we can do a number  
22 of different things. I'm not -- I believe in

1 action. Insurance subsidies need to come  
2 down. There is this grant that is going to  
3 help the companies in some -- if the operators  
4 get a subsidy and they can do this, it will  
5 happen, but we've got to take away the red  
6 tape and we also got to provide the source of  
7 the business. We have no control of who  
8 handles the contracts in the city.

9 Tomorrow morning the City Council  
10 can decide that an out of town company from  
11 Pennsylvania has proven to be the best in the  
12 world and they're going to open up a DC office  
13 and the contract goes there. We're left with  
14 the investment in our hands. That's where the  
15 issue comes in.

16 MR. COWARD: You know, when you  
17 brought up MTM, I was looking for more of an  
18 impact role, you know, for them to play for  
19 that amount of money they received, and I  
20 thought maybe they would be the dispatcher for  
21 this. I really did. I thought that would be  
22 a good positive way.

1 MR. TYMUS: We're still drifting,  
2 we need to get some points down and --

3 MR. SPOONER: Wait a minute, I'm  
4 trying to think how we're drifting. The  
5 insurance piece subsidies are one. A  
6 business, the source of business.

7 MR. TYMUS: I got source of  
8 business.

9 MR. SPOONER: At some point in time  
10 it has got to be carved out that whoever wins  
11 the contract, a percentage of that business is  
12 guaranteed to the services of the entities  
13 that start this type of service in the city.

14 MR. TYMUS: Okay.

15 MR. COWARD: I've got -- when you  
16 said the contract, I'm now -- this takes me  
17 back to what the Councilman wants. He wants  
18 to start up a whole new cab company and have  
19 it be contracted?

20 MS. KLANCHER: No, no.

21 MR. COWARD: Okay, that's what I'm  
22 getting from Mr. --

1 MS. ROBINSON: He said he also  
2 wanted access not only for the dispatch, he  
3 also wanted hailed.

4 MR. TYMUS: I've got an item that  
5 I'd like to --

6 MS. ROBINSON: Go ahead.

7 MR. TYMUS: Education. One of the  
8 things that we had was a misnomer, I guess  
9 that's the word. You were thinking that a cab  
10 couldn't come into DC and pick up like, and  
11 you're saying it could. So I'm thinking that  
12 education, dissemination of the information,  
13 some vehicle getting the info out to the --  
14 yes, to the handicapped.

15 PARTICIPANT: It will catch on  
16 quick.

17 MR. TYMUS: Okay, and then also  
18 training, and the training of the individuals  
19 I'd like to see come from maybe an  
20 organization like -- what's your organization?

21 MS. KLANCHER: COG.

22 MR. TYMUS: What's your -- say it

1 again?

2 MS. KLANCHER: Council of  
3 Governments.

4 MS. HILL: Office of Disability  
5 Rights.

6 MR. TYMUS: Office of Disability  
7 Rights, I'd love to see them set up a training  
8 program and --

9 MS. KLANCHER: UDC set up a  
10 training program, the University of the  
11 District of Columbia set up a training  
12 program.

13 MR. TYMUS: Okay, then we need to  
14 get that information out because there might  
15 be chauffeurs -- there might be drivers, I'll  
16 say, taxi drivers or limo drivers or whoever,  
17 who are interested in doing that if they can  
18 go -- they've got to step up, too. And if  
19 there's a training program, that could be part  
20 of the package. You go to training, get a  
21 little certificate and then you go back and  
22 you say, "Okay, Yellow Cab or Diamond Cab or

1       whatever, I have passed this. I'm ready to  
2       get into one of these vehicles at 80 percent".  
3       Just the thought of me getting 80 percent of a  
4       vehicle paid for, I'm swooning.

5               MS. ROBINSON: Easier said than  
6       done, Reggie.

7               MR. TYMUS: No, I believe you, I  
8       believe you.

9               COMMISSION CHAIRPERSON SWAIN: The  
10      other part is that the business is not like it  
11      used to be, you know. The vehicles are not  
12      like they used to be.

13              MS. ROBINSON: WMATA has a whole  
14      lot of other little, different little --

15              COMMISSION CHAIRPERSON SWAIN: I  
16      understand that, but the thing about it is,  
17      you know, everybody is talking like the only  
18      business is going to be transporting the  
19      disabled. There's still -

20              (Simultaneous speakers.)

21              MR. COWARD: Right, exactly right.  
22      That's why -- we're not building another

1 parent transit company.

2 COMMISSION CHAIRPERSON SWAIN: No,  
3 no, we're looking for a taxicab that's capable  
4 of transporting people with disabilities, and  
5 when you're not doing that, you're bumping the  
6 curb.

7 MR. COWARD: Exactly, exactly. And  
8 Mr. Spooner, I guess the issue about insurance  
9 and that is the big challenge and, you know,  
10 Wendy just informed me that when you put a  
11 power chair -- right now, it's mandated under  
12 law that if I was in a manual chair the driver  
13 has to pick me up.

14 MS. ROBINSON: Right, we transport.

15 MR. COWARD: Right, now, since I'm  
16 in an electric chair the vehicle is not  
17 equipped to do so --

18 MS. ROBINSON: If it doesn't break  
19 down.

20 MR. COWARD: I got you. So you  
21 know, now, if you buy a vehicle or Mark buy a  
22 vehicle to get a power chair in there, then

1 that shoots -- that changes your insurance  
2 cover rate. That's the only thing.

3 MS. HILL: Only if you contract  
4 with MetroAccess.

5 MR. COWARD: No, no, no, again --

6 MS. HILL: That's the only time  
7 when the insurance requirement is.

8 MR. COWARD: No, I was under the  
9 impression that the insurance would change,  
10 you know, if you're an independent driver.

11 MS. HILL: No.

12 MR. COWARD: I mean, I don't see  
13 the problem there.

14 MS. KLANCHER: Whether or not  
15 you're doing MetroAccess, I mean, independent  
16 contractor doing these kind of -- having a  
17 wheelchair accessible vehicle, my risks are  
18 going to go up because my driver could get  
19 hurt. You're doing more physical work.

20 MS. HILL: That's not true. That's  
21 not true.

22 MR. COWARD: That's not true.

1 MS. ROBINSON: Muscular dystrophy  
2 people -- we had one lady that had an Amigo,  
3 and I used to transport her myself and it was  
4 -- and we couldn't even charge them, and they  
5 were on vouchers. We couldn't even charge  
6 them.

7 MS. HILL: That's right, they're  
8 already required to transport people who use  
9 wheelchairs.

10 MR. COWARD: Well, so it's not an  
11 issue.

12 (Simultaneous speakers.)

13 MS. KLANCHER: Right but I think as  
14 a businessperson, you want to insure yourself  
15 at a higher level when you're doing that.

16 MS. HILL: Well, that's a choice  
17 but I'm not going to subsidize that because  
18 it's not actuarially a real risk.

19 MS. KLANCHER: Right, it's a  
20 choice. I'm not saying it's a requirement.  
21 It's a choice, but you can also find different  
22 deals to get more -- you know, lower cost,

1 lower cost insurance.

2 MR. COWARD: She said it was an  
3 issue. Tell me how so? Because right now I  
4 don't see it?

5 MR. CHUBBS: Well, I'm not quite  
6 sure how you would do it if you got the --  
7 what do you call it, wheelchair accessible  
8 van, but I know as of now, as of drivers, they  
9 can't take wheelchair people. I mean, if they  
10 help them and they fall, insurance is not  
11 going to cover.

12 MS. KLANCHER: You can buy  
13 insurance to cover that.

14 (Simultaneous speakers.)

15 MR. CHUBBS: This is the thing.  
16 They don't let us provide an upper map of  
17 insurance. We've been through that for a long  
18 time. They got a set rate and that's it, you  
19 know. Now for the wheelchair, it would  
20 probably be different.

21 MR. SPOONER: We have to meet the  
22 ADA. We strictly adhere to that. We have to

1 pick up someone that has a manual wheelchair  
2 that can be folded and put in the trunk of the  
3 cab. A driver buying a regular car can buy a  
4 car in the market as long as it reaches the  
5 years or whatever it is, pay whatever they  
6 want to pay for a car and get them to run a  
7 cab, they can run it as a cab. When you start  
8 talking about wheelchair accessible vehicles,  
9 you're talking about the greater start-up cost  
10 and maintenance of that vehicle.

11 MS. ROBINSON: Yes, that I  
12 understand.

13 MR. SPOONER: Granted, you run into  
14 a street hail, you can still do all those kind  
15 of things. You're doing street hails and  
16 trying to catch cash business with a vehicle  
17 that's costing you more money to operate on a  
18 daily basis. So you need to have a  
19 significant portion of that vehicle, and we're  
20 clear on the part about them doing regular cab  
21 work in addition to doing contracted work. We  
22 know that's part of the process, but more of

1 the business have got to come from the  
2 contracted work to keep your costs, to justify  
3 the significant cost it is to run the  
4 business.

5 MR. COWARD: I don't agree with  
6 that. You're saying -- you're talking to an  
7 aircraft technician, okay. And I've been  
8 maintaining mechanical and technical equipment  
9 for years till my injury. Now, you're saying  
10 I have a '96 Plymouth Grand Voyager and it's  
11 still in mint condition, do you know what I'm  
12 saying, with over 20,000 miles, but you're  
13 saying that the maintenance of an accessible  
14 vehicle -- I mean, to get an accessible  
15 vehicle, the maintenance upkeep would be more  
16 than what a standard Ford, what is it, Crown  
17 Vic?

18 MR. SPOONER: Okay, you have a  
19 basic vehicle that doesn't have a ramp, that  
20 doesn't have a motorized motor to move things  
21 up and down. You have to carry more  
22 insurance, regardless of what you might now

1 subsidize. Any driver who is transporting  
2 people in that situation, right, they've got  
3 training they're required to pay for  
4 themselves, right?

5 MR. COWARD: There's a training  
6 requirement?

7 MR. SPOONER: The drivers have to  
8 be certified.

9 MS. KLANCHER: That's under  
10 MetroAccess.

11 MR. COWARD: Yes, again, you're  
12 saying under their rules.

13 MR. SPOONER: No, you're not  
14 listening to me.

15 MR. COWARD: I'm listening to you.

16 MR. SPOONER: The source of the  
17 business comes from MetroAccess regardless --

18 MR. COWARD: No, no, see, you're  
19 wrong right there.

20 MR. SPOONER: You want us to make  
21 the investment to on the street and just drive  
22 around and hope you get business?

1 MR. COWARD: Oh yes, you're going  
2 to get business. You're going to get  
3 business. You're getting it now.

4 MR. SPOONER: Well, I'm sorry,  
5 we're not going to participate in something  
6 like that. We're not going to just go spend  
7 money --

8 MR. COWARD: I mean, I don't  
9 understand that. I don't understand.

10 MR. SPOONER: What do you mean you  
11 don't understand it?

12 MR. COWARD: I don't understand.  
13 You're saying that --

14 MR. SPOONER: That's a basic  
15 business principle. You've got a grant  
16 program here that says you're going to do  
17 something to get this started. For a company  
18 to go say, we're going to just buy five  
19 vehicles and our drivers will have no source  
20 of business, we'll take the start-up costs and  
21 just drive around and look for heel business  
22 or business coming off or -- you have a

1 commitment. What you now have is a wheelchair  
2 accessible vehicle and you advertise it,  
3 you're going to --

4 MR. COWARD: I can't believe you're  
5 that naive, man. Why do you think we have  
6 this -- why are you at the table now? Because  
7 there is a need for it. If there is a need,  
8 that's a source right there. There is a cry  
9 for it.

10 MR. SPOONER: I understand that  
11 you're very tied into this, and I'm sensitive  
12 to that.

13 MR. COWARD: I know.

14 MR. SPOONER: But be sensitive to  
15 the other side of the table.

16 MR. COWARD: Oh, of course I am.

17 MR. SPOONER: Okay, be sensitive to  
18 the other side of the table.

19 MR. COWARD: You're saying there's  
20 no money out there to be made off of  
21 accessible vehicles. The need --

22 MR. SPOONER: What I'm saying to

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1       you is   that --

2                   MR. COWARD:   That ought to make you  
3       happy.

4                   MR. SPOONER:   No, not to make --  
5       the drivers -- the system has independent  
6       operators in it.  If we, as a company decide  
7       to say, "We're going to put aside a certain  
8       amount of money, hire a certain amount of  
9       people," because they need to be full time  
10      employees to keep the business going because  
11      once you advertise it, there's going to be  
12      people knocking on your door and there will be  
13      people who have an expectation that you now  
14      have wheelchair accessible vehicles and you  
15      are not meeting the -- when they make the  
16      phone call and you don't have a vehicle  
17      because he's out there trying to make  
18      subsidized income on the street because  
19      there's not enough source income coming in,  
20      then you have a complaint to deal with that  
21      Yellow Cab Company or Diamond Cab set their  
22      wheelchair accessible vehicles, but they have

1 no business. They're not there when we need  
2 them.

3 COMMISSION CHAIRPERSON SWAIN: I  
4 think that if I was an independent cab driver  
5 and I went ahead and bought one of these  
6 vehicles and I put my number on the side and I  
7 went out there and I bumped the curb from time  
8 to time and my name and my phone number got  
9 around that I am a wheelchair accessible  
10 vehicle, I don't see how -- and maybe I'm just  
11 being naive, but I don't see how I'm going to  
12 go broke.

13 MR. CHUBBS: You've got to give us a  
14 little -- give us just a minute or two, so we  
15 can --

16 MR. COWARD: I know, I know, sir.

17 MR. CHUBBS: -- so we can have a  
18 little input. Okay. But no, but you keep  
19 saying the need is out there. That's great,  
20 but you've got to be connected to the need.  
21 You just don't automatically get into the  
22 need, and what Mr. Spooner is saying that, you

1 know, I mean, to invest, in order to invest,  
2 you've got to have something you invest in.  
3 You got a goal or you can see down the road.  
4 You're not going to make an investment and  
5 then hope you're going to get something.

6 COMMISSION CHAIRPERSON SWAIN:  
7 Excuse me, how much did you pay for your last  
8 car?

9 MR. CHUBBS: Forty thousand.

10 COMMISSION CHAIRPERSON SWAIN:  
11 That's 15,000 more than a handicap accessible  
12 vehicle. That's 15,000 that you paid, 40,000  
13 -- hold on --

14 MR. CHUBBS: But understand what I'm  
15 saying.

16 COMMISSION CHAIRPERSON SWAIN: No.  
17 Hold up. I do understand what you're saying,  
18 but I also understand that --

19 MR. CHUBBS: I built up that  
20 business --

21 COMMISSION CHAIRPERSON SWAIN: I  
22 understand that.

1 MR. CHUBBS: -- by getting  
2 contacts.

3 COMMISSION CHAIRPERSON SWAIN: I  
4 understand that, but guess what, I guarantee  
5 you that Bobby is going to pass your name  
6 around and Bobby's friends are going to pass  
7 your name around and all of a sudden, your  
8 biggest problem is that you've got too much  
9 business.

10 MS. KLANCHER: I'd like to add a  
11 couple of clarifications.

12 MR. TYMUS: Let me jump in with one  
13 thing because I may have missed something.  
14 Out of that 25,000, you're going to give me 80  
15 percent of it, right?

16 MS. KLANCHER: Right.

17 MR. TYMUS: So that car is really  
18 costing me 5,000?

19 MS. KLANCHER: Correct.

20 MR. TYMUS: You're my man and  
21 you're my lady. We're going to work.

22 MS. KLANCHER: Here's the thing

1     though, there's no vehicle that you can buy --  
2     there's no vehicle on the market that you can  
3     buy for 25,000. They are 30 to 40 right now.  
4     The other thing is what we know from best  
5     practices, where there are accessible cabs is  
6     in order to incentivize the industry to get in  
7     the business, they need to know they've got a  
8     steady stream of income.

9                 MR. COWARD: Right, and we were at  
10     a COG meeting, I think he was the -- I don't  
11     know, executive or president of Diamond Cab,  
12     the guy Rudy pissed off.

13                MS. KLANCHER: Right.

14                MR. COWARD: Yes, he got really  
15     pissed off when Rudy was talking about giving  
16     guaranteed contracts from the Department of  
17     Health. Do you remember that conversation  
18     about the Department of Health?

19                MS. KLANCHER: He is very --

20                MR. COWARD: He thought that would  
21     be one-sided. So we started giving the money  
22     to one cab company, you know, to provide

1 accessible pickups, other cab companies are  
2 going to be pissed off because that's the  
3 money they want, because they feel as though  
4 they could make that money.

5 MS. KLANCHER: Well, I mean, and  
6 that's why if a private company wants to  
7 invest, they want to get five accessible cabs,  
8 there is going to be some business that they  
9 can pick up that maybe no one else can, but it  
10 does -- from what I've heard in other cities,  
11 it's not enough to do just the hails or the  
12 street business, that you need a little more  
13 business to make money.

14 MR. COWARD: Again, that's why you  
15 have the vehicle that can transport able  
16 bodies and disabled.

17 MS. KLANCHER: And, right.

18 MR. COWARD: So, I mean, it's a  
19 win/win. When you're not picking up --

20 MS. KLANCHER: Right, I don't think  
21 you two are disagreeing.

22 MR. COWARD: Yes, when you're not

1 doing a contract pickup, you're doing your  
2 regular route.

3 MR. TYMUS: I think I got five  
4 items now; insurance, education --

5 MS. ROBINSON: And training.

6 MR. TYMUS: -- education to consist  
7 of dissemination of information and training,  
8 a source of business, a steady source of  
9 business, correct, subsidy to the drivers. I  
10 thought I picked that up, did I?

11 MR. SPOONER: There's no subsidy to  
12 the drivers.

13 MR. TYMUS: No, I'm saying --

14 MS. KLANCHER: Under the program,  
15 you could design one.

16 MR. TYMUS: Okay, but that would be  
17 an incentive, is that correct? Also, the next  
18 one would be -- oh, I said that, identify a  
19 steady stream of income, well, I guess the  
20 source. And the next one -- right now the  
21 taxicab thing is closed, correct? Okay, when  
22 I say closed, I mean no new faces.

1 COMMISSION CHAIRPERSON SWAIN:

2 Right.

3 MR. TYMUS: So I think it would be  
4 a heck of an incentive --

5 MS. ROBINSON: It's been closed for  
6 a couple of years.

7 MS. KLANCHER: Really? So no new  
8 companies can get licenses?

9 MR. TYMUS: No, new drivers.

10 MS. ROBINSON: Drivers. There's  
11 plenty of new companies. We just put five on  
12 last week.

13 MR. TYMUS: Okay, so here's the new  
14 rinse, I would think that would be a heck of  
15 an incentive for chauffeurs if they got their  
16 training with the young lady -- I'm sorry I'm  
17 real bad with names. I would get it down, if  
18 they got their training there, they got their  
19 little certificate, they came to you, Mr. Leon  
20 Swain. I'll call him Leon. Okay.

21 They come to you and say, "Hey, I  
22 got my certificate, give me my face. Let me

1 go to work". Can I put that -- is it  
2 feasible? You all tell me.

3 MS. ROBINSON: They're not issuing  
4 no faces yet, because --

5 MR. TYMUS: You make them show a  
6 face, though, right? You can pout all you  
7 want. I'm just trying to -- I'm serious, I'm  
8 joking but I'm serious.

9 COMMISSION CHAIRPERSON SWAIN: I  
10 understand exactly what you're saying there.

11 MR. TYMUS: I'm saying let's make  
12 it work.

13 MS. ROBINSON: It's an idea.

14 MR. TYMUS: Is it valid, though? I  
15 mean, I won't write it down if not valid.

16 MR. COWARD: What is this about  
17 your office training?

18 MS. HILL: It's an idea. I'm just  
19 putting it out as an idea.

20 MR. COWARD: Okay, okay.

21 (Simultaneous speakers.)

22 MS. ROBINSON: Do we have the

1 expertise to do it? That's what I'm saying.

2 COMMISSION CHAIRPERSON SWAIN: Mr.  
3 Chubbs, I saw your hand up.

4 MR. CHUBBS: I just have a  
5 question. What's the name of the gentleman  
6 that comes to all our meetings about this same  
7 program.

8 MS. ROBINSON: Mr. Bethea.

9 COMMISSION CHAIRPERSON SWAIN:  
10 Ronald Bethea.

11 MR. CHUBBS: Is he aware of this  
12 program?

13 MS. ROBINSON: Yes.

14 (Simultaneous speakers.)

15 COMMISSION CHAIRPERSON SWAIN: He  
16 just wants \$200,000.00.

17 MR. CHUBBS: What?

18 COMMISSION CHAIRPERSON SWAIN: He  
19 wants \$200,000.

20 MS. ROBINSON: He wants more than  
21 that. I was getting ready to say he wants  
22 more than \$200,000. He told Wendy and them

1 that he wanted a couple million dollars.

2 (Simultaneous speakers.)

3 MR. CHUBBS: Mr. McFay?

4 MS. ROBINSON: Bethea, Ronald  
5 Bethea.

6 MR. CHUBBS: Ronald McFay.

7 MS. ROBINSON: Ron Bethea, yes.

8 MR. CHUBBS: And he is always  
9 pushing this program. So I don't know why  
10 he's not into or he don't have this  
11 information, like he said disseminate the  
12 information.

13 MR. COWARD: You know, again,  
14 through legislation, you know, you could -- in  
15 other states, as I say, has done that,  
16 requiring that the taxicab company have, you  
17 know, a certain number of vehicles in their  
18 fleet. You know, now --

19 MR. SPOONER: Just a minute now,  
20 before we lose the uniqueness of DC, I don't  
21 where else you're going to find 200 and  
22 something taxicab companies operating.

1 They're closed systems and these companies, in  
2 order to gain the licenses to operate are  
3 required to perform all of these services  
4 because, in essence, they've taken the  
5 business and divided it three or four or five  
6 ways. That's the reality.

7 The District is extremely unique in  
8 everything we're talking about here. And to  
9 start a para-transit company, we can duck from  
10 it as much as we want to call the cab services  
11 doing ambulatory, doing wheelchair accessible,  
12 call it whatever you want, but the public's  
13 expectation and that's -- I'm just trying to  
14 share a little bit of something here. The  
15 public's expectation is running a cab company  
16 that has dispatch services when you say, "We  
17 provide wheelchair accessible vehicles", and  
18 when they call for one, because it's not going  
19 to be like MetroAccess, where they have to  
20 schedule it in advance. There will be people  
21 who believe, because it's a cab company  
22 providing this service, that I can call this

1 morning because I have an appointment and if  
2 we say we have no vehicles because the guy  
3 didn't have any appointments today, he's out  
4 on the street doing some side work, trying to  
5 get some work because his cab doubles up as --

6 MS. KLANCHER: By why wouldn't that  
7 cab -- I'm not understanding why that cab  
8 wouldn't be available to do that trip.

9 MR. COWARD: I don't either.

10 MR. SPOONER: Because when a driver  
11 is driving as a taxicab ride, they get regular  
12 passengers they pick up. They have people  
13 they pick up at 7:30 in the morning to take to  
14 school because they've got -- do you  
15 understand?

16 MR. COWARD: Okay, why can't that  
17 cab pick up somebody with a disability, too?

18 MR. SPOONER: You called at 7:30  
19 because you've got -- MetroAccess couldn't  
20 take you or they call us or you just call us  
21 and say, "I need to be picked up, I've got an  
22 8:30 appointment". You have an expectation

1 because we say we provide wheelchair  
2 accessible vehicles. But because we had no  
3 work that morning, that driver went out doing  
4 secured work.

5 MS. KLANCHER: You mean, but as a  
6 regular taxicab driver? But can't you --  
7 couldn't you radio dispatch that driver and  
8 say, "Hey, we got a --"

9 MR. SPOONER: And he says, "I'm  
10 with a passenger right now, I can't deal with  
11 it."

12 MS. KLANCHER: Can you say, "I can  
13 be there in an hour?" Will that work?

14 MR. SPOONER: But again, wait a  
15 minute.

16 MS. KLANCHER: I'm just trying to  
17 understand.

18 (Simultaneous speakers.)

19 MR. COWARD: Understand this thought  
20 --

21 MR. SPOONER: When you set an  
22 expectation for people and you only have a

1 limited resource and because there's not a  
2 steady source of income that you can expand  
3 that to have them at least being down for an  
4 hour and where they can be available when  
5 extra work comes in and they have to go make  
6 other work somewhere else, right, the  
7 expectation that the public has is not being  
8 met. So now you deal with the fallout from  
9 that.

10 MR. TYMUS: Do we have any idea how  
11 many handicapped vehicles we would actually  
12 need, just a rough idea.

13 MR. COWARD: That is a good  
14 question.

15 MR. TYMUS: I know we have to take  
16 into consideration the peaks and valleys and  
17 the time, you know, 4:30 in the evening  
18 everybody wants to go.

19 MR. COWARD: Twenty percent of the  
20 District's population is disabled, okay.

21 MR. TYMUS: Are you serious?

22 MS. KLANCHER: But not all of them

1 use wheelchairs.

2 MR. COWARD: Right, so you break  
3 that down how many, you know, are you know, in  
4 powered wheelchairs, you know, how many are  
5 working based on their travel needs, okay.  
6 But again, Mr. Spooner, I do agree with you.  
7 If you have a driver that's on another call or  
8 doing another pickup or travel, I mean, again,  
9 we -- people with disabilities, we will  
10 understand if there is no vehicle. Trust me,  
11 we've been used to rejection for years and  
12 years. Okay?

13 So it's nothing -- you said you  
14 build expectation up that you are a wheelchair  
15 accessible company but again, if -- you know,  
16 I mean, again if your wheelchair is on other  
17 calls, what can you do?

18 You have no choice but to say okay.  
19 Maybe call another option from another cab  
20 company. That's why you put more, like I say,  
21 logs on the fire by having more companies  
22 involved.

1 MR. SPOONER: But let me -- no, I  
2 hear what you're saying. But listen to me  
3 carefully. Most of this business comes from  
4 calls. There are only three dispatch  
5 companies in the city.

6 MS. KLANCHER: Who is that, Yellow  
7 --

8 MR. SPOONER: Yellow, Diamond, and  
9 District. There are only three. Those are  
10 the only three. If those three invest, that's  
11 fine. You have at least three sources.

12 MR. COWARD: Right.

13 MR. SPOONER: Okay. Let's say they  
14 all don't. Okay. Let's say Yellow is the  
15 only one that does or Diamond, so you have  
16 two. Once it's advertised you will have a  
17 great source of people coming there because  
18 they want to do it.

19 MR. COWARD: Right.

20 MR. SPOONER: The problem in this  
21 City today is there are no requirements of cab  
22 companies doing anything, and people do

1 whatever they want, like one guy said just  
2 now, "Yes, bring the business to us". I don't  
3 know if he's representing a dispatch company  
4 or not, but it's not about bringing in the  
5 business. Can you service the business? Do  
6 you see what I'm talking about, about  
7 expectations? We can set an expectation that  
8 you can get a cab because we have advertised  
9 we're wheelchair accessible, but if you keep  
10 calling and we can't provide you because those  
11 drivers have split -- in order to make their  
12 income to keep their expenses down, they're  
13 doing different things, then I'm not meeting  
14 your expectation.

15 So we've developed a wonderful  
16 program that I'm not consistently meeting your  
17 expectations.

18 MS. KLANCHER: So are you saying  
19 that part of the fear as a representative of  
20 industry is if you advertise you've got these  
21 cabs that it's going to cause you more PR  
22 problems because you can't serve the need?

1 MR. SPOONER: That's going to cause  
2 us more service problems. As a businessman,  
3 you don't want to create something that is not  
4 going -- that is going to be extremely  
5 negative for the people who depend on it, who  
6 depend on it, right, versus anything else. I  
7 prefer it, if we're going to do this, let's  
8 say we have five vehicles and based on what we  
9 have here, these five vehicles are set aside  
10 to run this business.

11 And if there's a slight down time  
12 you eat that cost somewhere within your  
13 structure, but if you have a late call at 8:30  
14 and nobody picked you up, I've got a vehicle,  
15 at least one of my vehicles based on my  
16 percentages and the down time, I can ship that  
17 vehicle right away. But if you say to  
18 drivers, "You are -- you got this grant, you  
19 gained the grant, but you still have to  
20 subsidize your income because I don't have a  
21 steady source of business to give you. Go out  
22 in the street and look for other business,"

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1 what happens?

2 MS. ROBINSON: There should be some  
3 type of availability. They should have a  
4 commitment for availability if they're going  
5 to be involved in this -- you know --

6 MR. SPOONER: By the way, that's  
7 part of the requirement to be in the business  
8 is you've got to set aside a vehicle for this  
9 amount of time, and you've got all those type  
10 of things.

11 MR. COWARD: I don't think that --  
12 is that in the grant, what you just said to  
13 me?

14 MR. SPOONER: That is, again,  
15 because the business is contract, most of the  
16 business is contracted --

17 MR. COWARD: To MetroAccess, though.

18 MR. SPOONER: But you can't get  
19 away from that because if you strip away the  
20 MetroAccess business, what is left is very  
21 minimal.

22 MS. KLANCHER: There's a national

1 rehab hospital, there's Medicaid, you know,  
2 Medicaid programs, there's senior centers.

3 MR. SPOONER: A major portion of it  
4 comes through some contracted source, yes.

5 COMMISSION CHAIRPERSON SWAIN:  
6 Excuse me. We have about 10 minutes.

7 MS. ROBINSON: Are they putting us  
8 out?

9 COMMISSION CHAIRPERSON SWAIN:  
10 Well, he would like to go home and see his  
11 family.

12 MR. TYMUS: I've got one quick  
13 question, and I'll ask it of, I guess, more  
14 the taxicab, two gentlemen who are -- the lady  
15 and two gentlemen here. What would be --  
16 okay, what would be your thought in mandating  
17 that a company of X amount of vehicles would  
18 have to have X amount of handicapped vehicles?  
19 Now, going along in the same package, the city  
20 has got to work with the company to make it  
21 happen. Now, even if it's a loss leader, in  
22 the sense that -- I had a handicap bus. I

1 ended up selling it because I just didn't have  
2 the demand for it. It was a 24-passenger,  
3 carried two or three wheelchairs. But it's  
4 mandated in law, although we don't all do it,  
5 I'll be honest with you, that we have access  
6 in the limousine industry to, what is it ADA?

7 MS. HILL: Americans with  
8 Disabilities Act.

9 MR. TYMUS: Right, we have to have  
10 one. Now, the loophole -- not loophole is  
11 that I have an affiliation with someone.

12 MS. HILL: Yes, you don't have to  
13 own it.

14 MR. TYMUS: Yes, I have an  
15 affiliation with someone, and it's legit. I'm  
16 affiliated with International Limousine, and  
17 they have a whole lot of them and they love me  
18 to call and give them that work. But I'm  
19 saying from you all's point of view, for a  
20 company, why wouldn't it be -- let's just say  
21 Company Z has 300 cars. Well, if you have --  
22 for every 50 cars you have you should maybe

1 have one handicap vehicle or something like  
2 that, just to get it started.

3 MS. ROBINSON: Well, see, that's  
4 what he was saying it's like 100 --

5 MR. TYMUS: And I'm not saying do  
6 it.

7 MS. ROBINSON: It's like 120  
8 companies. All of them don't have -- and to  
9 be honest, all of them don't have 20 vehicles,  
10 which is the requirement.

11 MR. TYMUS: Okay, is it 20 that's  
12 the requirement?

13 MS. ROBINSON: You're supposed to  
14 have 20 vehicles, it's a requirement for a  
15 company or an association. None of that stuff  
16 really has been defined.

17 MR. CHUBBS: Well, my idea on that  
18 I think -- I don't think it even would be  
19 feasible to demand -- I'll just say Yellow  
20 because he's here, Yellow to have five  
21 handicap vehicles if you don't have the work,  
22 pro se, for him. You demand him to get five

1 vehicles, then he got to solicit his own work  
2 to get -- to keep those five vehicles working.  
3 I just don't see that --

4 MR. SPOONER: This defeats the  
5 purpose of having the vehicles?

6 MS. ROBINSON: Part of --

7 MR. SPOONER: Because when the need  
8 is there, those vehicles will be somewhere  
9 else.

10 MS. ROBINSON: Is he going to have  
11 the vehicles for his regular routes?

12 MR. SPOONER: I know you're  
13 struggling with that, but that's the reality  
14 of it.

15 MS. ROBINSON: A lot of us are  
16 owner/operators. Okay, say -- you know, I  
17 mean, you're looking at --

18 MR. SPOONER: Today we have --  
19 sorry Carolyn, go ahead, please.

20 MS. ROBINSON: Say that, you know,  
21 I decided that I wanted to make that  
22 investment, you know, in the handicap vehicle.

1 You know, but I own my own vehicle. Yellow  
2 Cab, I pay to use the name of Yellow Cab, but  
3 I own my own vehicle, and that's the problem  
4 with a lot of us most of us own our own  
5 vehicles which means we work when we want to  
6 work. I'm just being honest.

7 MR. SPOONER: That's really  
8 important. She brought up an important point.  
9 That's where the aspect of it being an  
10 employee because an independent operator, we  
11 don't set their schedules and that goes back  
12 to the availability issue. That's why we have  
13 on our website: "Every cab request is subject  
14 to availability of the vehicle at the time of  
15 the pickup." And that's the expectation. We  
16 are the only company that puts that out  
17 because we are saying, don't have the  
18 expectation that if you call for the airport,  
19 that we are going to be there. You can't  
20 reserve cab service in the city.

21 MS. KLANCHER: No, but the same  
22 with an accessible vehicle.

1 MR. SPOONER: Once you make it that  
2 they've got to subsidize their income by  
3 hitting the --

4 MS. KLANCHER: Do you --

5 MR. COWARD: I'm --

6 (Simultaneous speakers.)

7 MR. SPOONER: If we as a company --  
8 my vision of setting this up is, there are  
9 five vehicles. There are five employees that  
10 only work --

11 MS. KLANCHER: Employees, they're  
12 not independent contractors?

13 MR. SPOONER: Because -- we can't  
14 tell them -- no one can tell the independent  
15 operator, "Go pick up somebody at 7:30  
16 tomorrow morning". If they've got a personal  
17 appointment, I'm not going.

18 MS. ROBINSON: Out of courtesy, if  
19 he contacts me in time and I can say I'm not  
20 available, then there should be someone else  
21 available to --

22 MR. TYMUS: But we're talking

1 companies like I said, say 50, and when a  
2 company is usually up to 50, I'm thinking --  
3 well, that might not be true too, because I  
4 was a fleet owner and I didn't -

5 MS. ROBINSON: How do you know that  
6 they got 50.

7 MR. SPOONER: The vision that I had  
8 was five employees you create a structure for  
9 it. You have a dispatch service. The call  
10 comes in and you schedule your work. If you  
11 have open slots as you get calls, you send  
12 people out. The loss leader you're talking  
13 about is if I only have five jobs for that  
14 driver today and based on the income stream  
15 you should have 10 to make him whole, I have  
16 to eat it for that day because hopefully  
17 tomorrow we'll have the business to make up  
18 down the way. That's where the loss leader  
19 comes in.

20 But to start off a business by  
21 saying that you mandate how much I should have  
22 and if I don't have business or some

1 guaranteed source, then we would to into that,  
2 I mean --

3 MR. TYMUS: No, I'm not advocating  
4 that but --

5 MR. SPOONER: Understand, that's the  
6 vision I have. Once you start to cross the  
7 two things and say even though the vehicle can  
8 do that -- now, at night, yes, after 7:30, and  
9 you've done picked up all the work, you want  
10 to run the vehicle as a regular cab service  
11 afterwards, that's fine because you've made  
12 all your commitments for the day.

13 MR. COWARD: You know, I totally  
14 understand what you're saying, but I think you  
15 worry about the demand and you know, you need  
16 a guarantee that there is a source, and so I  
17 want to kind of spit this back at you. When  
18 you start up a cab company, you're thinking  
19 that you are going to go out and pick people  
20 up or you're going to get calls, right? To  
21 come to go pick people up, for calls and for  
22 hail, right? Are we on the same page? Is

1 that the source of revenue? That you're going  
2 to get calls or you're going to go out riding  
3 around and picking individuals up. That's  
4 your primary source. Is that correct?

5 MR. SPOONER: That's if your  
6 starting off a cab company in another city,  
7 not in Washington, DC. In Washington, DC  
8 every driver is an independent operator. The  
9 cab companies have nothing to do with that.

10 MR. COWARD: Okay, again, if I --

11 MR. SPOONER: If I wanted to start  
12 a fictional company, you want --

13 MR. COWARD: I know, in DC you said  
14 -- right now, if I wanted to buy me a vehicle,  
15 okay, and become -- call myself a cabbie --

16 MR. SPOONER: Okay.

17 MR. COWARD: And I'm thinking I'm  
18 going to get my money from, like you say, a  
19 cab company, Yellow Cab where I'm dispatched,  
20 they can give me some calls.

21 MR. SPOONER: Right.

22 MR. COWARD: They pay me some money

1 or I pay them whatever.

2 MR. SPOONER: The only source of  
3 income that cab company gets is the dues that  
4 you pay and your radio fees.

5 MR. COWARD: Right, okay, so for  
6 that they'll bring me some business.

7 MR. SPOONER: That is correct.

8 MR. COWARD: And I'm going out  
9 picking individuals up.

10 MR. SPOONER: That's correct.

11 MR. COWARD: That's how I make my  
12 money.

13 MR. SPOONER: That's how you make  
14 your money.

15 MR. COWARD: Right.

16 MR. SPOONER: You're your own  
17 business.

18 MR. COWARD: Right. Now, my point  
19 is now, if I have to --

20 MR. SPOONER: Stop there for a  
21 second. By associating yourself with me, with  
22 a cab company, you're getting a source of

1 business. Right? That is why we associate  
2 with MetroAccess because they're the source of  
3 the business.

4 MR. COWARD: Source of business,  
5 okay. So taking MetroAccess out, you're  
6 looking for a source of business.

7 MR. SPOONER: That's called bumping  
8 the curb.

9 MR. COWARD: Well, again --

10 MR. SPOONER: No, no, go back to  
11 your scenario. That's where you don't pay for  
12 dispatch fees and you go on the street, you  
13 bump the curb. If we take MetroAccess out,  
14 I'm hoping that somebody calls me one day.  
15 Even though you say there's a demand, even  
16 though there are people walking out on the  
17 street every time, hailing a cab --

18 (Simultaneous speakers.)

19 MR. CHUBBS: Can I get a word in?

20 (Simultaneous speakers.)

21 COMMISSION CHAIRPERSON SWAIN:

22 Okay, do we all agree that the need is there

1 for this revenue?

2 MR. CHUBBS: Right, but one of the  
3 major issues is the insurance problem. Who's  
4 doing to insure it? The price of the  
5 insurance, that's --

6 MS. KLANCHER: I think we need more  
7 information about the insurance.

8 MR. CHUBBS: That's what I'm saying.

9 MR. SPOONER: That's a take-away,  
10 right. That is the biggest -- for us to --  
11 Mr. Swain and I talked privately. To me this  
12 is a done deal in my mind.

13 COMMISSION CHAIRPERSON SWAIN: In  
14 reference to what, meters?

15 MR. SPOONER: Right, even though  
16 you told me to move on earlier, we already  
17 moved on. The wheelchair accessibility, we  
18 talked privately. We were going to do this  
19 even before MetroAccess came in. We were more  
20 interested -- we've seen the London taxi,  
21 we've seen the Standard, we've seen the  
22 Liberty vans, and we were leaning more toward

1 the Liberty vans.

2 But the insurance issue became the  
3 stumbling block in there. We believe there is  
4 going to be enough business. We believe that  
5 MetroAccess will come back to us because  
6 that's a door that's always open to us if we  
7 can get this insurance issue resolved. We  
8 will do it from an employee perspective, and  
9 if an independent operator wants to join in,  
10 that's fine, but we feel more comfortable as a  
11 company that if you're going to do this, you  
12 need to set up a proper structure, and you  
13 need to have some -- you have to meet the  
14 expectation.

15 MS. KLANCHER: How much more did  
16 you calculate the insurance is?

17 MR. SPOONER: At that time we were  
18 talking about the independent operator, and  
19 that's when we squelched the whole idea,  
20 because unless we have something that they can  
21 get involved, right, but from as a company  
22 perspective, if you can find a way that we can

1 buy into a policy that exits at a certain  
2 level and keep out cost down, then that's --  
3 then we can start moving forward with this.

4 We've got the dispatch services in  
5 place. We're the only computerized dispatch  
6 cab company in the city. We've got all the  
7 mechanisms in place to make this happen, but  
8 that's going to be the big issue.

9 (Simultaneous speakers.)

10 COMMISSION CHAIRPERSON SWAIN:  
11 Excuse me, ladies and gentlemen, we are about  
12 to be evicted.

13 (Whereupon, at 7:38 p.m. the above-  
14 entitled matter concluded.)  
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